

BUREAU OF INTERNAL AFFAIRS
Investigations Division
Area South Investigations


28 February 2018
Log #1083051

To: Eddie L. Welch III
Chief
Bureau of Internal Affairs


From: Sgt. Joseph Dickman # 1805
Area South Investigations
Bureau of Internal Affairs


Subject: Completion of Log Number

The attached investigation has been completed and submitted for your approval.


Sgt. Joseph Dickman # 1805
Area South Investigations
Bureau of Internal Affairs

Approved:


Case Management Supervisor
Investigations Division
Area South Investigations


Commanding Officer
Investigations Division
Area South Investigations

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

LOG NO

1083051

TYPE

CR

DATE OF REPORT

28-FEB-2018

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

TO: ☐ CHIEF ADMINISTRATOR,
INDEPENDENT POLICE REVIEW AUTHORIT

☒ CHIEF,
BUREAU OF INTERNAL AFFAIRS

| FROM - INVESTIGATOR'S NAME | RANK | STAR NO | EMPLOYEE NO | UNIT ASSIGNED | UNIT DETAILED |
|----------------------------|------|---------|-------------|---------------|---------------|
| DICKMAN, JOSEPH | 9171 | 1805 | | 121 | |

REFERENCE NOS.(LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

| | | |
|---|--------------------------------|-----------|
| INCIDENT ADDRESS: 120 S. INDIANA AVE, CHICAGO, IL 60628 | DATE/TIME: 19NOV16 02:30-03:00 | BEAT: 532 |
|---|--------------------------------|-----------|

ACCUSED

| NAME | RANK | STAR NO | EMP NO | UNIT ASSIGNED | UNIT DETAILED | SEX/RACE | DOB | APPOINTED DATE | ON DUTY ? | SWORN ? |
|---------------------|------|---------|--------|------------------|------------------|----------|------|-------------------|--------------|------------|
| FORBERG, BRIAN P | 9171 | 1564 | | 606 | | M / WHI | 1960 | 10-JUL-1995 | YES | YES |
| RUMBAUGH, JEFFREY M | 9171 | 1083 | | 007 | | M / WHI | 1981 | 29-OCT-2007 | YES | YES |
| MCDERMOTT, SEAN T | 9161 | 6435 | | 006 | 606 | M / WHI | 1975 | 22-MAY-2006 | YES | YES |
| LANDRUM, JASON L | 9161 | 17355 | | 006 | 606 | M / BLK | 1980 | 29-NOV-2004 | YES | YES |

REPORTING PARTY

| NAME | ADDRESS* | CITY | TELEPHONE | SEX / RACE | DOB / AGE |
|-----------------|------------------------------------|------|-----------|------------|-----------|
| SHEPLER, WALTER | RANK: 9171, STAR NO: 1764, EMP NO: | | | M / WHI | 1981 / 36 |

VICTIMS

| NAME | ADDRESS* | CITY | TELEPHONE | SEX / RACE | DOB / AGE |
|------|----------|-------------|-----------|------------|-----------|
| | | CHICAGO, IL | | M / BLK | 1978 / 40 |

WITNESSES

| NAME | ADDRESS* | CITY | TELEPHONE | SEX / RACE | DOB / AGE |
|-----------------|------------------------------------|-------------|--------------|------------|-----------|
| BYK JR, WALENTY | RANK: 9161, STAR NO: 2819, EMP NO: | | 312-746-9655 | M / S | 1977 / 41 |
| | | CHICAGO, IL | | M / BLK | / |
| | | CHICAGO, IL | | F / | 1996 / 21 |
| | | CHICAGO, IL | | F / BLK | 1996 / 21 |

* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

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1083051

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CR

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28-FEB-2018

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION

ALLEGATIONS

NOTE: Log "TYPE" is classified as CR – Sworn Affidavit on file.

SEE ATTACHED

SUMMARY

SEE ATTACHED

ATTACHMENTS

| INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER | INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER: | PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS: | TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE: |
|--|--|---|---|
| 3,8 | 18,22,26,30,40 | | 42 |

FINDINGS - RECOMMENDATIONS

SEE ATTACHED

DATE INITIATED
(Date incident was received for investigation)

25-NOV-2016

DATE COMPLETED (Date of this report)

28-FEB-2018

ELAPSED TIME
(Total time expressed in days)

460

Investigator will initiate the Command Channel Review form by
completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

ALLEGATION

Accused: Police Officer Jason LANDRUM, Star #17355, Employee Number [REDACTED] assigned to the 006th District and Detailed to Unit 606.

Allegation #1: It is alleged by [REDACTED] that on 19-NOV-16, between 02:30 and 03:00 hours, at the location of [REDACTED], the accused conducted a search of her residence without justification [REDACTED].

Allegation #2: It is alleged by [REDACTED] that on 19-NOV-16, between 02:30 and 03:00 hours, at the location of [REDACTED], the accused refused to provide name and badge information upon her request [REDACTED].

Accused: Sergeant Jeffrey RUMBAUGH, Star #1083, Employee Number [REDACTED] assigned to the 007th District.

Allegation #1: It is alleged by [REDACTED] that on 19-NOV-16, between 02:30 and 03:00 hours, at the location of [REDACTED], the accused conducted a search of her residence without justification [REDACTED].

Allegation #2: It is alleged by [REDACTED] that on 19-NOV-16, between 02:30 and 03:00 hours, at the location of [REDACTED], the accused refused to provide name and badge information upon her request [REDACTED].

Accused: Police Officer Sean MCDERMOTT, Star #6435, Employee Number [REDACTED] assigned to the 006th District and Detailed to Unit 606.

Allegation #1: It is alleged by [REDACTED] that on 19-NOV-16, between 02:30 and 03:00 hours, at the location of [REDACTED], the accused conducted a search of her residence without justification [REDACTED].

Allegation #2: It is alleged by [REDACTED] that on 19-NOV-16, between 02:30 and 03:00 hours, at the location of [REDACTED], the accused refused to provide name and badge information upon her request [REDACTED].

Accused: Sergeant Brian FORBERG, Star #1564, Employee Number [REDACTED] assigned to Unit 606.

Allegation #1: It is alleged by [REDACTED] that on 19-NOV-16, between 02:30 and 03:00 hours, at the location of [REDACTED] the accused conducted a search of her residence without justification [REDACTED]

Allegation #2: It is alleged by [REDACTED] that on 19-NOV-16, between 02:30 and 03:00 hours, at the location of [REDACTED] the accused refused to provide name and badge information upon her request [REDACTED]

INVESTIGATION

The undersigned received this case for investigation on 25-NOV-16. The case file contained the Face Sheet and the Initiation Report which had been completed by Sergeant Walter SHEPLER of the 005th District. Sergeant SHEPLER related that the complainant, [REDACTED] alleged that four "detectives" knocked on her door, and when she opened it one of the four pushed the door open wider and three of the four entered her residence while one stayed at the doorway. According to Sergeant SHEPLER, the complainant related that the accused who stayed in the doorway had a vest on with the name of FORBERG, and a star number that she believed was 1375. Sergeant SHEPLER further related that the complainant maintained that the other three accused searched around her house for [REDACTED] (Attachments 1,4).

On 06-DEC-16 the undersigned interviewed the complainant, [REDACTED] in the Bureau of Internal Affairs (BIA). The complainant related that on 19-NOV-16, between 02:30 and 03:00 hours, four officers knocked on her door. The complainant related that she opened the door half way and one of the officers, a male white about 6 feet tall, forced his way in and all of the other officers ultimately entered the residence, two immediately and the third somewhat later. The complainant described the two officers who immediately followed the first officer as a shorter male white and a male black. The complainant related that the last officer to enter the residence wore a vest with the name FORBERG, which she wrote down, and a star with the number 1335 or 1375 (Attachment 8).

According to the complainant, the first three officers who entered her residence searched every room of the house including the basement. The complainant maintained that when she asked for a search warrant they just kept searching. The complainant explained that she exclaimed that her rights were being violated, and she asked for everyone's name and badge number. According to the complainant, the male black officer did provide her a piece of paper with the name "LANORUM" written on it along with the number [REDACTED]. The complainant related that the black officer, and the officer with the name FORBERG on his vest, explained to her that [REDACTED] was not safe and they were trying to protect her, and they left the residence. The complainant further related that before he left, the officer with the name FOREBERG on his vest stated to her that she

had written his name down from his vest and he stated his star number which was either 1375 or 1335 (Attachment 8).

The complainant signed a Sworn Affidavit for Log Number Investigation form in which she alleged that her residence was searched without justification, and three of the accused officers refused to provide to her their names and badge numbers. The complainant further alleged that the fourth accused refused to provide his name, and only when he observed that she had taken down his name did he provide his badge number (Attachment 3).

The complainant identified the following adult persons who were inside of the residence during the incident in question: [REDACTED], [REDACTED], and [REDACTED].

The complainant provided contact information for [REDACTED] and for [REDACTED] but she added that [REDACTED] did not want to be involved (Attachment 8).

Attempts to contact [REDACTED] were unsuccessful. The undersigned did make telephonic contact with [REDACTED] who provided name and address information for [REDACTED] however, attempts to contact her [REDACTED] were unsuccessful. [REDACTED] agreed to meet with the undersigned in the BIA for an interview on 07-DEC-17 at 13:00 hours, however, she failed to show. The undersigned telephonically contacted [REDACTED] and inquired as to why she missed the interview, and she related that she did not want to proceed with the complaint, and she did not believe that [REDACTED] wanted to proceed with the complaint. [REDACTED] added that it was too much for her family (Attachments 33, 35, 37).

In an effort to identify the accused, the undersigned conducted a relevant GPS search which revealed that vehicle #2224, used by Officer Walenty BYK, was at the scene during the time of occurrence as identified by the complainant. An Alpha/Star Query revealed that Officer BYK was detailed to Unit 606 – Fugitive Apprehension. Further investigation revealed that Officer BYK, Sergeant Brian FORBERG, Officer Jason LANDRUM, Sergeant (formerly Police Officer) Jeffrey RUMBAUGH, Officer Sean MCDERMOTT, Sergeant Michael NALLEN, and Officer Steven SANDERS, all of whom were either assigned or detailed to Unit 606 on the date of the incident in question, had all worked overtime on 18-NOV-16 to 19-NOV-16 specifically for the Homicide Investigation that involved [REDACTED] (Attachments 10, 39, 42).

On 03-JAN-18, at 10:00 hours, the undersigned conducted an audio recorded interview with Witness Police Officer Walenty BYK, Star #2819, who acknowledged that he was at the location of [REDACTED] on 19-NOV-16 at approximately 02:45 hours in an effort to locate [REDACTED]. Officer BYK recalled that Police Officer Steven SANDERS was in a separate vehicle, but he and SANDERS were working in tandem, and they were positioned on the perimeter of the residence for the possible event that [REDACTED] would flee from the residence. Officer BYK recalled that Sergeant

Michael NALLEN was also on the perimeter. Officer BYK did not recall the identity of other members on the scene, or whether any other Department members entered or searched the residence. Officer BYK had no knowledge as to whether the names or badge numbers of any member had been requested by any civilian on the scene, or whether any Department member had refused to provide their names or badge number to anyone on the scene (Attachments 14, 15).

During her interview with the undersigned, the complainant had provided the following description information about the accused: A male white using the name FORBERG, a male black using the name LANORUM, a male white approximately 5'07", and a male white approximately 6'00". Further investigation by the undersigned revealed that Officer MCDERMOTT and Sergeant (formerly Police Officer) RUMBAUGH are 5'08" and 6'00" in height, respectively. Additionally, Officer LANDRUM, Officer MCDERMOTT and Sergeant (formerly Police Officer) RUMBAUGH had all been assigned to Sergeant FORBERG'S Beat 5756 team in Unit 606 (Fugitive Apprehension) on the date of the incident. The undersigned identified Sergeant FORBERG, Officer LANDRUM, Officer MCDERMOTT, and Sergeant (formerly Police Officer) RUMBAUGH as the accused (Attachment 8).

On 10-JAN-18, at 15:55 hours, the undersigned conducted an audio recorded interview with Accused Police Officer Jason LANDRUM, Star #17355, who acknowledged that he was at the location of [REDACTED] on 19-NOV-16 at approximately 02:45 hours in an effort to locate [REDACTED]. Officer LANDRUM recalled that Sergeant Brian FORBERG was on the scene as well as other officers, but he could not recall the identities of the other officers. Officer LANDRUM related that he either rang the doorbell or knocked on the door, and he (LANDRUM) identified himself when an older male subject answered the door. According to Officer LANDRUM, the older male subject invited him into the residence. Officer LANDRUM recalled that Sergeant FORBERG was with him when he entered the residence, but he could not recall if any other Department members entered the residence. Officer LANDRUM related that [REDACTED] addressed them after they entered, and he (LANDRUM) explained to her that they were looking for [REDACTED]. Officer LANDRUM related that he and [REDACTED] discussed the possible whereabouts of [REDACTED] after [REDACTED] maintained that [REDACTED] was not at the residence at that time. Officer LANDRUM related that he then provided [REDACTED] with his business card and they left the residence. Officer LANDRUM did not recall if any Department member searched or requested to search the residence. Officer LANDRUM had no knowledge as to whether the names or badge numbers of any member had been requested by any civilian at the scene, or whether any Department member had refused to provide their names or badge number to anyone at the scene (Attachments 18, 19).

On 29-JAN-18, at 15:30 hours, the undersigned conducted an audio recorded interview with Accused Sergeant (formerly Police Officer) Jeffrey RUMBAUGH, Star #1083, who acknowledged that he was at a residence in the area of [REDACTED] Avenue on 19-NOV-16 in an effort to locate [REDACTED] but he could not be sure of the exact

address. Sergeant RUMBAUGH related that a female black, whom he presumed was the [REDACTED] was present at the residence. Sergeant RUMBAUGH related that, per his recollection, Sergeant Brian FORBERG, Officer Jason LANDRUM, and Officer Sean MCDERMOTT, entered the residence with him while Sergeant Michael NALLEN and Officer Steven SANDERS were positioned on the perimeter. Sergeant RUMBAUGH related that there was no other residence that he entered with Sergeant FORBERG, Officer LANDRUM, and Officer MCDERMOTT on 19-NOV-16 and spoke with a female black subject he presumed was the [REDACTED]. According to Sergeant RUMBAUGH, they were invited into the residence by the female black subject whom he presumed was the [REDACTED]. Sergeant RUMBAUGH did not recall that any Department member searched the residence, but he explained that with the circumstances being such that they were attempting to locate [REDACTED] for her possible involvement in a murder, it would not have been uncommon for them to conduct a protective sweep of the area of the residence they were in for officer safety purposes. Sergeant RUMBAUGH maintained that the [REDACTED] made no immediately objection to their presence, and when she did ask them to leave, they all complied expeditiously. Sergeant RUMBAUGH did not recall that any civilian inside of the residence had asked for names or badge numbers of any of the Department members who were on the scene, but he did recall that Sgt. FORBERG did provide his name to the female subject he presumed was [REDACTED] (Attachments 22, 23).

On 01-FEB-18, at 13:10 hours, the undersigned conducted an audio recorded interview with Accused Police Officer Sean MCDERMOTT, Star #6435, who acknowledged that he was at a residence on the south side on 19-NOV-16 in an effort to locate [REDACTED] but he could not be sure of the exact address. Officer MCDERMOTT related that [REDACTED] was present at the residence. Officer MCDERMOTT related that, per his recollection, he entered the residence with Sergeant Brian FORBERG, Officer Jason LANDRUM, and Sergeant (formerly Police Officer) RUMBAUGH. According to Officer MCDERMOTT, they all entered after Sergeant FORBERG and Officer LANDRUM had spoken with [REDACTED] and Sergeant FORBERG gave them the okay to go into the residence. Officer MCDERMOTT related that he took a guard officer position and conducted a visual scan of the room they entered when they came into the residence. Officer MCDERMOTT maintained that none of them searched the residence. Officer MCDERMOTT explained that Sergeant FORBERG and Officer LANDRUM continued to speak with [REDACTED] while they were inside of the residence, and at some point Sergeant FORBERG told them to leave and they left. Officer MCDERMOTT did not recall that any civilian inside of the residence had complained about their presence. Officer MCDERMOTT related that other Department members were present at the scene, but he could only recall the identity of Sergeant Michael NALLEN who he assumed had taken a perimeter position because he did not recall him being inside of the residence. Officer MCDERMOTT did not recall that any civilian inside of the residence had asked for names or badge numbers of any of the Department members who were on the scene, but he did recall that Officer LANDRUM did provide his business card to [REDACTED] (Attachments 26, 27).

SUMMARY REPORT DIGEST (Continued)

Log 1083051

Page 9 of 11

On 23-JAN-18, at 10:20 hours, the undersigned conducted an audio recorded interview with Accused Sergeant Brian FORBERG, Star #1564, who related that he did not recall the specific address, but he did respond to a far south side 005th District location on 19-NOV-16. Sergeant FORBERG related that their response to that residence was for a knock-and-talk investigation associated with a homicide investigation in which [REDACTED] was allegedly involved. According to Sergeant FORBERG, he responded to the residence with Officers Jason LANDRUM, Sergeant (formerly Police Officer) Jeffrey RUMBAUGH, and Sean MCDERMOTT. Sergeant FORBERG also recalled that Sergeant Michael NALLEN and Officer Steven SANDERS were also on the scene, but he believed that Sergeant NALLEN and other officers were in the alley in a support role (**Attachments 30, 31**).

Sergeant FORBERG recalled that only LANDRUM, RUMBAUGH, and MCDERMOTT went inside of the residence, and LANDRUM spoke with an older female black who appeared to be the "matriarch" of the residence. According to Sergeant FORBERG, Officer LANDRUM continued speaking with the "matriarch" while he moved around the house and spoke with another resident. Sergeant FORBERG related that he had no reason to doubt that the "matriarch" was [REDACTED] but he did not recall her name. Sergeant FORBERG maintained that the "matriarch" invited them inside of the residence. Sergeant FORBERG did not recall that he asked to search the residence or that any Department member did search the residence. Sergeant FORBERG recalled no member of his team engaged in an unjustified search of the residence in question, and he asserted that he would have stopped any officer if he had observed them engaged in any misconduct associated with an unjustified search. Sergeant FORBERG maintained that if any officers went into other rooms of the house it would have only been for officer safety. Sergeant FORBERG related that at some point the "matriarch" asked them to leave, and the officers did leave the residence. Sergeant FORBERG related that he explained the gravity of the situation to the "matriarch." Sergeant FORBERG related that the "matriarch" demanded his name and possibly his star number, and he did reveal his name and star number on his vest to her before he left. Sergeant FORBERG related that he had no recollection that any other Department member had been asked for their names or star numbers (**Attachments 30, 31**).

With respect to the complainant's allegation that her residence was searched without justification, there is insufficient evidence either to prove or disprove the allegation.

With respect to the complainant's allegation that three of the four accused officers refused to provide to her their names and badge numbers, the evidence shows that those officers are Jason LANDRUM, Sean MCDERMOTT, and Sergeant (formerly Police Officer) Jeffrey RUMBAUGH. The evidence further shows that none of those three officers recalled that any civilian inside of the residence had asked for names or badge numbers of any Department members who were on the scene. However, Officer LANDRUM maintained, and Officer MCDERMOTT confirmed, that he did provide one of his business cards to the complainant. Moreover, the complainant herself related that

she did receive a paper with the name "LANORUM" written on it, along with the telephone number 312- [REDACTED] which the undersigned confirmed to be a number that belonged to Officer LANDRUM. Based upon the evidence, the allegation is most appropriately classified as UNFOUNDED.

With respect to the complainant's allegation regarding the officers' refusal to provide their names and badge numbers, the complainant related that the fourth accused officer refused to give his name, and only when he observed that she had taken down his name did he then provide his badge number. The evidence shows that the officer referred to in this manner by the complainant is Sergeant FORBERG. There is no evidence that Sergeant FORBERG attempted to conceal his name from the complainant. The evidence shows that Sergeant FORBERG'S name was made available to the complainant. The evidence further shows that Sergeant FORBERG did provide his star number to the complainant. Based upon the evidence, the allegation is most appropriately classified as UNFOUNDED.

It should be noted that the Sergeant Brian FORBERG (Employee Number [REDACTED]) initiated a star exchange on 27-DEC-17 and was issued star number 1564 which replaced his previous star number of 1373 which he possessed at the time of the incident in question (Attachment 41).

FINDINGS

Accused: Police Officer Jason LANDRUM, Star #17355, Employee Number [REDACTED] assigned to the 006th District and Detailed to Unit 606.

Allegation #1: Not Sustained

Allegation #2: Unfounded

RECOMMENDATION: No Disciplinary Action

Accused: Sergeant Jeffrey RUMBAUGH, Star #1083, Employee Number [REDACTED] assigned to the 007th District.

Allegation #1: Not Sustained

Allegation #2: Not Sustained

RECOMMENDATION: No Disciplinary Action

SUMMARY REPORT DIGEST (Continued)
Page 11 of 11

Log 1083051

Accused: Police Officer Sean MCDERMOTT, Star #6435, Employee Number [REDACTED]
assigned to the 006th District and Detailed to Unit 606.

Allegation #1: Not Sustained

Allegation #2: Not Sustained

RECOMMENDATION: No Disciplinary Action

Accused: Sergeant Brian FORBERG, Star #1564, Employee Number [REDACTED]
assigned to Unit 606.

Allegation #1: Not Sustained

Allegation #2: Unfounded

RECOMMENDATION: No Disciplinary Action

DATE INITIATED: 25-NOV-2016
DATE COMPLETED: 28-FEB-2017
ELAPSED TIME: 460

[REDACTED]
Sergeant Joseph Dickman# 1805
Area South Investigations
Bureau of Internal Affairs

Approved:

[REDACTED]
Case Management Supervisor
Investigations Division
Area South Investigations

[REDACTED]
Commanding Officer
Investigations Division
Area South Investigation

Attachments for Log #1083051

| No. | Type | No. of Pages | Narrative |
|-----|---|--------------|--|
| 1 | FACE SHEET | | |
| 2 | CONFLICT CERTIFICATION | | |
| 3 | SWORN AFFIDAVIT FROM COMPLAINANT | 1 | |
| 4 | INITIATION REPORT | 2 | |
| 5 | GENERAL OFFENSE CASE REPORT | 5 | Exhibit A |
| 6 | TO/FROM REPORT | 1 | PCAD Search |
| 7 | REPORT (OTHER) | 1 | Search Warrant Search |
| 8 | COMPLAINANT STATEMENT | 7 | |
| 9 | O.E.M.C. (OEMC) REQUEST/HOLD | 2 | GPS Request |
| 10 | GPS DATA | 6 | |
| 11 | REQUEST FOR PHOTOS | 1 | |
| 12 | SYNOPSIS | 6 | Photo Lineup |
| 13 | WITNESS NOTIFICATION FOR BYK JR, WALENTY | | |
| 14 | AUDIO INTERVIEW | 1 | P.O. Byk |
| 15 | TO/FROM REPORT | 1 | Officer BYK Statement Summary |
| 16 | REPORT (OTHER) | 1 | Officer BYK Receipt of Formal Stmt. |
| 17 | ACCUSED NOTIFICATION OF ALLEGATIONS FOR LANDRUM, JASON | | |
| 18 | AUDIO INTERVIEW | 1 | P.O. Landrum |
| 19 | TO/FROM REPORT | 1 | Officer LANDRUM Statement Summary |
| 20 | TO/FROM REPORT | 1 | Officer LANDRUM Receipt of Formal Stmt. |
| 21 | ACCUSED NOTIFICATION OF ALLEGATIONS FOR RUMBAUGH, JEFFREY | | |
| 22 | AUDIO INTERVIEW | 1 | Sergeant (P.O.) Rumbaugh |
| 23 | TO/FROM REPORT | 1 | Sergeant (P.O.) RUMBAUGH Statement Summary |
| 24 | REPORT (OTHER) | 1 | Sergeant (P.O.) RUMBAUGH Receipt of Formal Stmt. |
| 25 | ACCUSED NOTIFICATION OF ALLEGATIONS FOR MCDERMOTT, SEAN | | |
| 26 | AUDIO INTERVIEW | 1 | P.O. MCDERMOTT |
| 27 | TO/FROM REPORT | 1 | Officer MCDERMOTT Statement Summary |
| 28 | REPORT (OTHER) | 1 | Officer MCDERMOTT Receipt of Formal Stmt. |
| 29 | ACCUSED NOTIFICATION OF ALLEGATIONS FOR FORBERG, BRIAN | | |
| 30 | AUDIO INTERVIEW | 1 | Sgt. Forberg |
| 31 | TO/FROM REPORT | 1 | Sergeant FORBERG Statement Summary |
| 32 | REPORT (OTHER) | 1 | Officer FORBERG Receipt of Formal Stmt. |
| 33 | TO/FROM REPORT | 1 | Witness [REDACTED] Contact |
| 34 | CERTIFIED MAIL RECEIPT | 7 | Certified Mail Documents - Witness [REDACTED] |
| 35 | TO/FROM REPORT | 1 | Witness [REDACTED] Contact |

| | | | |
|----|------------------------|---|---|
| 36 | CERTIFIED MAIL RECEIPT | 9 | Certified Mail Documents - Witness [REDACTED] |
| 37 | TO/FROM REPORT | 1 | Witness [REDACTED] Contact |
| 38 | CERTIFIED MAIL RECEIPT | 9 | Certified Mail Documents - Witness [REDACTED] |
| 39 | REPORT (OTHER) | 2 | Vehicle Usage by Car Number - Vehicle #2224 |
| 40 | TO/FROM REPORT | 1 | Officer LANDRUM Phone Number Verification |
| 41 | TO/FROM REPORT | 1 | Sergeant FORBERG Star Exchange |
| 42 | REPORT (OTHER) | 7 | Overtime Information |

BUREAU OF PATROL
008th District

27 October 2017
Log No.: 1087098

TO: Ronald Pontecore
Commander 008th District

FROM: Bryan Spreyne #1320
Sergeant 008th District

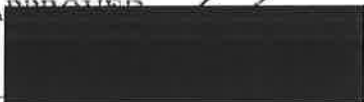
SUBJECT: Approval of Log Investigation Number 1087098

The attached Log Investigation has been completed and is submitted for your approval.



Sgt. Bryan Spreyne #1320

APPROVED



(District XO, LT, or both)

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

LOG NO
1087098TYPE
INFODATE OF REPORT
27-OCT-2017

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

TO: CHIEF ADMINISTRATOR,
INDEPENDENT POLICE REVIEW AUTHORITX CHIEF,
BUREAU OF INTERNAL AFFAIRS

| FROM - INVESTIGATOR'S NAME | RANK | STAR NO | EMPLOYEE NO | UNIT ASSIGNED | UNIT DETAILED |
|----------------------------|------|---------|-------------|---------------|---------------|
| SPREYNE, BRYAN | 9171 | 1320 | | 008 | |

REFERENCE NOS.(LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

INCIDENT ADDRESS: 3420 W. 63RD ST, CHICAGO, IL 60629

DATE / TIME: 12-OCT-2017 13:10 BEAT: 823

ACCUSED

| NAME | RANK | STAR NO | EMP NO | UNIT ASSIGNED | UNIT DETAILED | SEX/RACE | DOB | APPOINTED DATE | ON DUTY? | SWORN ? |
|---------|------|---------|--------|---------------|---------------|----------|-----|----------------|----------|---------|
| UNKNOWN | | | | | | / | | | YES | UNK |
| UNKNOWN | | | | | | / | | | YES | UNK |

REPORTING PARTY

| NAME | ADDRESS* | CITY | TELEPHONE | SEX / RACE | DOB / AGE |
|------|----------|-------------|-----------|------------|-----------|
| | | CHICAGO, IL | | F / WHI | 1998 / 19 |

VICTIMS

| NAME | ADDRESS* | CITY | TELEPHONE | SEX / RACE | DOB / AGE |
|------|----------|-------------|-----------|------------|-----------|
| | | CHICAGO, IL | | F / WHI | 1998 / 19 |

WITNESSES

| NAME | ADDRESS* | CITY | TELEPHONE | SEX / RACE | DOB / AGE |
|------|----------|------|-----------|------------|-----------|
|------|----------|------|-----------|------------|-----------|

* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

ALLEGATIONS

NOTE: Complaint Log "Type" is classified as INFO-Sworn Affidavit NOT on file

It is alleged that on 12 October 2017, 13:00hrs, at 3420 W. 63rd Street Chicago IL. 60629, when the complainant called the 008th District desk the answering member was rude in not listening to the complainant's story.

It is alleged that on 12 October 2017, 13:00hrs, at 3420 W. 63rd Street Chicago IL. 60629, when the complainant called the 008th District desk and asked to speak to a sergeant, the answering member hung up on her.

SUMMARY

See Continuation Page...

ATTACHMENTS

| INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER | INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER: | PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS: | TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE: |
|--|--|---|---|
| 0 | 0 | 0 | 6 |

FINDINGS - RECOMMENDATIONS

Accused 1: Unknown

Allegation 1: It is alleged that on 12 October 2017, 13:00hrs, at 3420 W. 63rd Street Chicago IL. 60629, when the complainant called the 008th District desk the answering member was rude in not listening to the complainant's story.

Finding: No Affidavit – Refused, No disciplinary action warranted - Case to be filed.

Accused 2: Unknown

Allegation 1: It is alleged that on 12 October 2017, 13:00hrs, at 3420 W. 63rd Street Chicago IL. 60629, when the complainant called the 008th District desk and asked to speak to a sergeant, the answering member hung up on her.

Finding: No Affidavit – Refused, No disciplinary action warranted - Case to be filed.

DATE INITIATED
(Date incident was received for investigation)

13-OCT-2017

DATE COMPLETED (Date of this report)

27-OCT-2017

ELAPSED TIME
(Total time expressed in days)

14

Investigator will initiate the Command Channel Review form by completing the Investigator's Section.

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

1320

Summary Report Digest Log#1087098

Continuation...

The R/Sgt. was assigned this investigation on 13 Oct 17, which included the Face Sheet. The R/Sgt. acknowledged the related conflict certification and completed a Notification Update indicating this assignment. (Att#1,2&4)

On 23 Oct 2017, 11:30hrs, the R/Sgt. made telephonic contact with a female whom identified herself as [REDACTED] (complainant in LOG#1087098) via the phone number listed on the Log face sheet [REDACTED]. The complainant related that she was no longer wished to pursue her complaint. [REDACTED] further indicated that she did not wish to sign a letter of declination and requested to decline further investigation via the phone conversation. The R/Sgt. acknowledged her request and informed the complainant that the investigation would be closed as of 23 Oct 17 per her request. (Att#5)

The R/Sgt. is unable to identify an accused member due to the lack of any description and or any identifying information (male/female, name or star number). The face sheet description only indicates "he" and "a sergeant" which does not provide enough information to make an identification of any accused members. The complainant has verbally refused to continue with this investigation, notably the R/Sgt. has not obtained a signed Sworn Affidavit to allow further investigation. (Att#6)

During the course of this investigation the R/Sgt. has made successful contact with the complainant in regard to her allegation(s). However after explaining the Sworn Affidavit requirement and process: the complainant stated that she will not sign a Sworn Affidavit. As a result if the complainant's decision, this investigation cannot continue.

After reviewing the related documents included in this investigation, the R/Sgt. has not found sufficient independent factual information to support the allegation(s) for a sworn affidavit override.

The R/Sgt. recommends a finding of CLOSED- NO CONVERSION
"NO AFFIDAVIT- REFUSED".

List of Attachments

1087098

| | | Number of Pages |
|----|--|--------------------|
| 1) | Face Sheet Complaint Against Department Member | 2 |
| 2) | Investigation Conflict Certification | 2 |
| 3) | Unsigned Sworn Affidavit | 1 |
| 4) | Notification Update sheet | 1 |
| 5) | Summary of Telephonic Contact with the complainant | 1 |
| 6) | Attempt to Identify accused member(s) | 1 |

Bureau of Internal Affairs
Investigations Division
General Investigations Section

13 Nov 2013
Log# 1056741

TO: Commanding Officer
Investigations Division
General Investigations Section


FROM: Police Agent Gwendolyn HARRIS, #7938
Investigations Division
General Investigations Section

SUBJECT: Approval of Log Investigation
Log Number 1056741 Confidential # None

The attached Log number investigation has been completed and is
being submitted for approval.


Agent Gwendolyn HARRIS, #7938

Approved:


~~Case Management Sergeant~~
Investigations Division
General Investigations Section

14 Nov 13

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

LOG NO
1056741TYPE
CRDATE OF REPORT
13-NOV-2013

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

TO: DEPUTY SUPERINTENDENT, BUREAU OF PROFESSIONAL STANDARDS
ATTENTION: CHIEF, INTERNAL AFFAIRS DIVISION

| FROM - INVESTIGATOR'S NAME | RANK | STAR NO | EMPLOYEE NO | UNIT ASSIGNED | UNIT DETAILED |
|----------------------------|------|---------|-------------|---------------|---------------|
| HARRIS, GWENDOLYN | 9174 | 7938 | | 121 | |

REFERENCE NOS.(LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

| | | |
|--|--------------------------------|-----------|
| INCIDENT ADDRESS: 727 E. 111TH ST, CHICAGO, IL 60628 | DATE / TIME: 31-AUG-2012 09:08 | BEAT: 531 |
|--|--------------------------------|-----------|

ACCUSED

| NAME | RANK | STAR NO | EMP NO | UNIT ASSIGNED | UNIT DETAILED | SEX/RACE | DOB | APPOINTED DATE | ON DUTY ? | SWORN ? |
|----------------------|------|---------|--------|------------------|------------------|----------|------|-------------------|--------------|------------|
| BROWN, DAVID A | 9161 | 15887 | | 003 | | M / BLK | 1969 | 28-OCT-2002 | YES | YES |
| JONES, MICHAEL D | 9161 | 12104 | | 003 | | M / BLK | 1976 | 21-JUN-1999 | YES | YES |
| MONDRAGON, IVAR | 9161 | 16929 | | 003 | | M / S | 1973 | 27-AUG-2007 | YES | YES |
| WEST, DARRIN T | 9122 | | | 005 | | M / BLK | 1971 | 16-SEP-1998 | YES | NO |
| HIGGINS, LISA C | 9161 | 7680 | | 005 | | F / WHI | 1966 | 21-JUN-1999 | UNK | YES |
| FORBERG, BRIAN P | 9165 | 21249 | | 620 | | M / WHI | 1960 | 10-JUL-1995 | UNK | YES |
| LEE, LAWRENCE | 9161 | 9869 | | 005 | | M / BLK | 1963 | 14-DEC-1998 | UNK | YES |
| BRYANT, ALI H | 9161 | 11249 | | 003 | | M / BLK | 1975 | 09-MAR-2009 | UNK | YES |
| JONES JR, CLARENCE L | 9161 | 16142 | | 003 | | M / BLK | 1965 | 31-AUG-1998 | UNK | YES |
| JONES, GREGORY D | 9161 | 19819 | | 005 | | M / BLK | 1963 | 02-SEP-1997 | UNK | YES |
| ANNOR, SAMUEL | 9161 | 6224 | | 005 | | M / BLK | 1960 | 13-DEC-1999 | UNK | YES |

REPORTING PARTY

| NAME | ADDRESS* | CITY STATE | TELEPHONE | SEX / RACE | DOB / AGE |
|----------------------|-----------------------------------|------------|-----------|------------|-----------|
| MC CARTNEY, MICHELLE | RANK: 9173, STAR NO: 325, EMP NO: | | | F / WHI | 1965 / 48 |

VICTIMS

| NAME | ADDRESS* | CITY STATE | TELEPHONE | SEX / RACE | DOB / AGE |
|------|----------|-------------|-----------|------------|-----------|
| | | CHICAGO, IL | | M / BLK | 1988 / 25 |

WITNESSES

| NAME | ADDRESS* | CITY STATE | TELEPHONE | SEX / RACE | DOB / AGE |
|------|----------|------------|-----------|------------|-----------|
|------|----------|------------|-----------|------------|-----------|

* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

LOG NO

1056741

TYPE

CR

DATE OF REPORT

13-NOV-2013

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

ALLEGATIONS

Complaint classified as "CR" Sworn Affidavit NOT required.

Accused 1. Police Officer Michael JONES, #12104, Unit 003

It is alleged by Lieutenant McCARTNEY, #325, that on 29 Aug 12, arresting Officer Michael JONES, #12104, failed to do a proper search of his arrestee [REDACTED] in that a plastic bag containing 16 suspect ecstasy pills was found in the arrestee's pants pocket after he swallowed one pill while in the 5th District lock-up. Ref., RD# [REDACTED]

Accused 2. Police Officer David BROWN, #15887, Unit 003

It is alleged by Lieutenant McCARTNEY, #325, that on 29 Aug 12, arresting Officer David BROWN, #15887, failed to do a proper search of his arrestee, [REDACTED] in that a plastic bag containing 16 suspect ecstasy pills was found in the arrestee's pants pocket after he swallowed one pill while in the 5th District lock-up. Ref., RD# [REDACTED]

Continued on page 3

SUMMARY

SEE PAGES 5 thru 7 FOR INVESTIGATION

ATTACHMENTS

| INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER | INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER: | PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS: | TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE: |
|--|--|---|---|
| 6,7 | 10, 12, 14, 16, 17, 19, 21,23, 25, 27, 29, 30, 32 | | 34 |

FINDINGS - RECOMMENDATIONS

SEE PAGES 8 thru 9 FOR FINDINGS and RECOMMENDATIONS.

DATE INITIATED
(Date incident was received for investigation)

08-MAR-2013

DATE COMPLETED (Date of this report)

13-NOV-2013

ELAPSED TIME
(Total time expressed in days)

250

Investigator will initiate the Command Channel Review form by
completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

ALLEGATIONS (continued from page 1)

- Accused #3. Police Officer Ivan MONDRAGON, #16929, Unit 003**
Allegation 1. It is alleged by Lieutenant McCARTNEY, #325, that on 29 Aug 12, arresting Officer Ivan MONDRAGON, #16929, failed to do a proper search of his arrestee, [REDACTED] in that a plastic bag containing 16 suspect ecstasy pills was found in the arrestee's pants pocket after he swallowed one pill while in the 5th District lock-up. Ref., RD# [REDACTED]
- Accused #4. Detention Aide Darrin WEST, Employee 195, Unit 005**
Allegation 1. It is alleged by Lieutenant McCARTNEY, #325, that on 30 Aug 12, at approximately 0211 hours, Detention Aide Darrin WEST, Employee [REDACTED] failed to do a proper search of arrestee [REDACTED] in that 16 suspect ecstasy pills were found in the arrestee's pants pocket and arrestee subsequently swallowed same while being transferred from one cell to another within the 5th District lock-up. Ref., RD# [REDACTED]
- Allegation 2. It is alleged by Lieutenant McCARTNEY, #325, that while assigned as lock-up keeper on 31 Aug 12, at approximately 0053 hours, Detention Aide Darrin WEST accepted [REDACTED] from Detective FORBERG, and failed to do a proper search of arrestee who subsequently swallowed 16 suspect ecstasy pills were found in the arrestee's pants pocket while being transferred from one cell to another within the lockup.
- Accused #5. Police Officer Lisa C. HIGGINS, #7680, Unit 005**
Allegation 1. It is alleged by Lieutenant McCARTNEY, #325, that on 31 Aug 12, at approximately 0053 hours, while assigned to 5th District lock-up, Police Officer Lisa HIGGINS, #7680, failed to do a proper search of arrestee [REDACTED] in that 16 suspect ecstasy pills were found in the arrestee's pants pocket and arrestee subsequently swallowed same while being transferred from one cell to another within the 5th District lock-up. Ref., RD# [REDACTED]

SUMMARY REPORT DIGEST
CL#1056741

- Accused #6.**
Allegation 1. **Detective Brian P. FORBERG, #21249, Unit 620**
It is alleged by Lieutenant McCARTNEY, #325, that on 30 Aug 12, from approximately 1230 hours to 31 Aug 12 at approximately 0053 hours, Detective Brian FORBERG, #21249, failed to do a proper search of arrestee [REDACTED] in that 16 suspect ecstasy pills were found in the arrestee's pants pocket and arrestee subsequently swallowed same while being transferred from one cell to another within the 5th District lock-up. Ref., RD# [REDACTED]
- Accused #7.**
Allegation 1. **Police Officer Lawrence LEE, #9869, Unit 005**
It is alleged by Lieutenant McCARTNEY, #325, that on 30 Aug 12, at approximately 1230 hours, lock-up keeper Officer Lawrence LEE, #9869, failed to do a proper search of arrestee [REDACTED] in that 16 suspect ecstasy pills were found in the arrestee's pants pocket and arrestee subsequently swallowed same while being transferred from one cell to another within the 5th District lock-up. Ref., RD# [REDACTED]
- Allegation 2.**
It is further alleged by Lieutenant McCARTNEY that on 31 Aug 12 at approximately 0905 hours, lock-up keeper Officer Lawrence LEE, #9869, failed to do a proper search of arrestee [REDACTED] in that 16 suspect ecstasy pills were found in the arrestee's pants pocket and arrestee subsequently swallowed same while being transferred from one cell to another within the 5th District lock-up.
- Accused #8.**
Allegation 1. **Police Officer Ali H. BRYANT, #11249, Unit 003**
It is alleged by Lieutenant McCARTNEY, #325, that on 29 Aug 12, at approximately 1734 hours, during the transport of prisoner [REDACTED] Police Officer Ali BRYANT, #11249, failed to do a proper search of arrestee in that 16 suspect ecstasy pills were found in the arrestee's pants pocket and arrestee subsequently swallowed same while in the 5th District lock-up. RD# [REDACTED]
- Accused #9.**
Allegation 1. **Police Officer Clarence L. JONES, Jr. #16142, Unit 003**
It is alleged by Lieutenant McCARTNEY, #325, that on 29 Aug 12, at approximately 1734 hours, during the transport of prisoner [REDACTED] Police Officer Clarence JONES, Jr., failed to do a proper search of arrestee in that 16 suspect ecstasy pills were found in the arrestee's pants pocket and arrestee subsequently swallowed same while in the 5th District lock-up. RD# [REDACTED]

SUMMARY REPORT DIGEST
CL# 1056741

Accused #10.
Allegation 1.

Police Officer Gregory D. JONES, #19819, Unit 005

It is alleged by Lieutenant McCARTNEY, #325, that while assigned as lock-up keeper on 30 Aug 12, at approximately 0211 hours, Police Officer Gregory JONES, #19819, failed to do a proper search of arrestee [REDACTED] in that 16 suspect ecstasy pills were found in the arrestee's pants pocket and arrestee subsequently swallowed same while being transferred from one cell to another within the 5th District lock-up. Ref. RD# [REDACTED]

Allegation 2.

It is alleged by Lieutenant McCARTNEY, #325, that while assigned as lock-up keeper on 31 Aug 12, at approximately 0053 hours, Police Officer Gregory JONES, #19819, accepted [REDACTED] from Detective FORBERG, and failed to do a proper search of arrestee who subsequently swallowed 16 suspect ecstasy pills were found in the arrestee's pants pocket while being transferred from one cell to another within the lockup.

Accused #11.
Allegation 1.

Police Officer Samuel ANNOR, #6224, Unit 005

It is alleged by Lieutenant McCARTNEY, #325, that while assigned as lock-up keeper on 31 Aug 12, at approximately 0053 hours, Police Officer Samuel ANNOR, #6224, accepted [REDACTED] from Detective FORBERG, and failed to do a proper search of arrestee who subsequently swallowed 16 suspect ecstasy pills were found in the arrestee's pants pocket while being transferred from one cell to another within the lockup.

INVESTIGATION

On 31 Aug 2012, this complaint was simultaneously recorded as extraordinary occurrence #12-032, under complaint log numbers 1056740 and 1056741. The Independent Police Review Board administratively closed log number 1056740 on 21 Sep 2012. However, subject complaint was re-assigned to the undersigned on 28 Feb 2013. (Attachments 4, 5, 29)

A review of Lieutenant M. McCARTNEY's Initiation Report revealed that on 31 Aug 2012, at approximately 0850 hours, in the 5th District male lock-up, prisoner [REDACTED] was being moved from one cell to another by Police Officer Lawrence LEE, #9869. During said movement, Officer LEE discovered a bulge in prisoner [REDACTED] pants pocket and searched [REDACTED] to recover a plastic bag containing 16 ecstasy pills. McCARTNEY's report

SUMMARY REPORT DIGEST
CL#1056741

continues that as LEE recovered the plastic bag from the prisoner's pocket, the bag broke and the pills scattered on the floor. McCARTNEY further reported that prisoner [REDACTED] grabbed one of the pills, swallowed same, and was transported to Roseland Hospital for medical treatment which he refused. [REDACTED] was subsequently returned to the lock-up. Lieutenant McCARTNEY obtained two complaint log numbers and generated a Report of Extraordinary or Unusual Occurrences. (Attachments 5, 7)

A trace of [REDACTED] movements and encounters with Department members during an approximate 40 hour time-line was done by a review of the arrest report under RD [REDACTED]. It revealed that he was taken into custody at 75 [REDACTED] S. Kingston, at approximately 1731 hours on 29 Aug 12, by Third District Tactical Officers Michael JONES, #12104, David BROWN, #15887, and Ivar MONDRAGON, #16929, then transported to Area South for processing by Beat 305, Police Officers Ali BRYANT, #11249, and Clarence JONES, Jr., #16142. [REDACTED] was placed in the lock-up with Officer Gregory JONES, #19819, (lockup-keeper) and Detention Aide Darrin WEST so assigned. (Attachments 6, 8)

Prisoner [REDACTED] was released from the Area South lock-up on 30 Aug 12, at approximately 1230 hours by Officer Lawrence LEE, #9869, and turned over to Detective Brian FORBERG, #21249, Unit 620, who held him approximately 12 hours. It is recorded that Detective FORBERG returned arrestee [REDACTED] to the custody of Police Officer Lisa HIGGINS, # 7680, at the male lock-up approximately at 0053 hours on 31 Aug 12. At 0905 hours, 31 Aug 12, Officer LEE again moved the arrestee from one cell to another when the suspect ecstasy was discovered in [REDACTED] pocket. Consequently, LEE, FORBERG, and HIGGINS are also accused. (Attachment 6)

Accused Michael JONES, #12104, stated he performed a search of [REDACTED] before escorting him to the lock-up where he observed the detention aide perform a search. JONES reported that both searched produced negative narcotics and negative ecstasy pills. (Attachment 10)

Accused Officer David BROWN, #15887, reported that at the time of arrest he conducted a search of [REDACTED] pants pockets and no suspect ecstasy pills were present. (Attachment 12)

Accused Officer MONDRAGON, #16929, related he did not search the prisoner because Officer BROWN did one. MONDRAGON reported that he transported [REDACTED] to the Fifth District. (Attachment 14)

Detention Aide Darrin WEST, Employee [REDACTED], stated he gave [REDACTED] a thorough pat down search and did not find any contraband on the arrestee during his first acceptance to lock-up on 30 Aug 13. WEST stated he could not recall if he accepted [REDACTED] on 31 Aug 13, but if he did he would have conducted a proper search within Department guidelines. (Attachment 16, 17)

Officer Lisa HIGGINS, #7680, stated she was assigned to the district front desk and did not search a male arrestee at any time. (Attachment 18)

SUMMARY REPORT DIGEST
CL#1056741

Detective FORBERG, #21249, reported that he received [REDACTED] from the lock-up at 0030 hours on 30 Aug 12, escorted him to interview room two, subsequently to room three and later returned to room two. FORBERG stated that at the conclusion of the interviews in room two, [REDACTED] was searched and had no contraband on his possession, then returned to the lock-up at 0053 hours on 31 Aug 12. (Attachment 20)

Accused Officer Lawrence LEE, #9869, reported he did not receive arrestee [REDACTED] into the lock-up from the outside unit nor at the time of return from the Area. LEE stated he conducted a search of [REDACTED] while moving him from one cell to another, and felt several small objects. LEE stated he retrieved the small objects to learn it was a bag of multiple pills that [REDACTED] grabbed out of his hand, causing the pills to spill to the floor. (Attachment 22)

Officer Ali BRYANT, #11249, related that he did not search [REDACTED], but he was present when Officer Clarence JONES, Jr., #16142, searched him after the arrest and prior to placing him in the transport vehicle. BRYANT stated no contraband was found at that time. (Attachment 24)

Officer Clarence JONES, Jr., #16142, stated he searched [REDACTED] prior to transport to the area and again in the interview room, adding that both times there was no contraband found. (Att .26)

Accused Officer Gregory JONES, #19819, stated he did not search [REDACTED] on either date, in that he observed WEST conduct the searches and [REDACTED] had nothing illegal on him. (Attachment 29, 30)

Lastly, Officer ANNOR, #6224, stated he had no recollection of accepting [REDACTED] from Detective FORBERG, but if so, he would have conducted a proper custodial search. (att 32)

In summary, prisoner [REDACTED] was taken into custody on 29 Aug 12, at 1731 hours, transported to Area Central, and received in the lock-up at 0211 hours on 30 Aug 13. Ten hours later, prisoner [REDACTED] was removed from lock-up, kept for a twelve hour line-up and interview, and returned to lock up at 0053 hours, 31 Aug 31. As prisoner [REDACTED] was being moved to another cell at approximately at 0850 hours on 31 Aug 13, suspect ecstasy was discovered in [REDACTED] pocket.

This investigation is unable to determine when, how or where, [REDACTED] came to have the contraband on his person. [REDACTED] was in police custody for nearly 48 hours before the discovery was made and had come into contact with at least eleven Department members. It seems unlikely that not one of those eleven members would not have seen a bulge in his front pants pocket. In that all members deny inattention during their searches, coupled with [REDACTED] twelve hour block at the area, the possibility that he could have found the substance in a cell or it was given the ecstasy by another prisoner in lock-up between 0053 to 0850 hours, it is recommended that all allegations be not sustained at this time.

SUMMARY REPORT DIGEST
CL#1056741

FINDINGS

- Accused #1. Police Officer Michael JONES, #12104, Unit 003**
Allegation. Not sustained.
- Accused #2. Police Officer David BROWN, #15887, Unit 003**
Allegation. Not sustained.
- Accused #3. Police Officer Ivan MONDRAGON, #16929, Unit 003**
Allegation. Not sustained.
- Accused #4. Detention Aide Darrin WEST, Employee [REDACTED] Unit 005**
Allegation 1. Not sustained.
Allegation 2. Not sustained.
- Accused #5. Police Officer Lisa C. HIGGINS, #7680, Unit 005**
Allegation. Not sustained
- Accused #6. Detective Brian FORBERG, #21249, Unit 620**
Allegation. Not sustained.
- Accused #7. Police Officer Lawrence LEE, #9869, Unit 005**
Allegation 1. Not sustained.
Allegation 2. Not sustained.
- Accused #8. Police Officer Ali H. BRYANT, #11249, Unit 003**
Allegation Not sustained
- Accused #9. Police Officer Clarence L. JONES, Jr. #16142, Unit 003**
Allegation Not sustained
- Accused #10. Police Officer Gregory D. JONES, #19819, Unit 005**
Allegation 1 Not sustained
Allegation 2. Not sustained
- Accused #11. Police Officer Samuel ANNOR, #6224, Unit 005**
Allegation Not Sustained.

SUMMARY REPORT DIGEST
CL#1056741

RECOMMENDATIONS

| | | |
|-------------|--|-----------------------------------|
| Accused 1. | Police Officer Michael JONES, #12104, | No disciplinary action warranted. |
| Accused 2. | Police Officer David BROWN, #15887, | No disciplinary action warranted. |
| Accused 3. | Police Officer Ivan MONDRAGON, #16929, | No disciplinary action warranted. |
| Accused 4. | Detention Aide D.WEST, Employee [REDACTED] | No disciplinary action warranted. |
| Accused 5. | Police Officer Lisa C. HIGGINS, #7680, | No disciplinary action warranted. |
| Accused 6. | Detective Brian FORBERG, #21249, | No disciplinary action warranted. |
| Accused 7. | Police Officer Lawrence LEE, #9869, | No disciplinary action warranted. |
| Accused 8. | Police Officer Ali BRYANT, #11249, | No disciplinary action warranted. |
| Accused 9. | Police Officer C. L. JONES, Jr. #16142, | No disciplinary action warranted. |
| Accused 10. | Police Officer Gregory D. JONES, #19819, | No disciplinary action warranted. |
| Accused 11. | Police Officer Samuel ANNOR, #6224, | No disciplinary action warranted. |

Attachments

| No. | Type | Related Person | No. of Pages | Narrative |
|-----|---|---------------------------|--------------|--|
| 1 | FACE SHEET | N/A | | |
| 2 | CONFLICT CERTIFICATION | N/A | | |
| 3 | SWORN AFFIDAVIT FROM COMPLAINANT | N/A | 1 | Not Required |
| 4 | REPORT (OTHER) | N/A | 1 | Reassignment of CL #1056741 |
| 5 | INITIATION REPORT | N/A | 1 | Lt. McCarthney #325 |
| 6 | ARREST REPORT | N/A | 24 | RE: [REDACTED] Ref., RD# [REDACTED] |
| 7 | REPORT (OTHER) | N/A | 3 | Copy of Report of Extraordinary/Unusual Occurrence, Ref., |
| 8 | ATTENDANCE AND ASSIGNMENT RECORD | N/A | 8 | "Additional Accused Members Identified," and related documents |
| 9 | ACCUSED NOTIFICATION OF ALLEGATIONS FOR JONES, MICHAEL | ACCUSED - JONES, MICHAEL | | |
| 10 | ACCUSED REPORT | N/A | 1 | P/O Michael JONES, #12104 |
| 11 | ACCUSED NOTIFICATION OF ALLEGATIONS FOR BROWN, DAVID | ACCUSED - BROWN, DAVID | | |
| 12 | ACCUSED REPORT | N/A | 1 | P/O David BROWN, #15887 |
| 13 | ACCUSED NOTIFICATION OF ALLEGATIONS FOR MONDRAGON, IVAR | ACCUSED - MONDRAGON, IVAR | | |
| 14 | ACCUSED REPORT | N/A | 1 | P.O. I. MONDRAGON, #16928, dated 28 Apr 13 |
| 15 | ACCUSED NOTIFICATION OF ALLEGATIONS FOR WEST, DARRIN | ACCUSED - WEST, DARRIN | | |
| 16 | ACCUSED REPORT | N/A | 1 | Det. Aide Darrin WEST, Employee # [REDACTED] dated 13 Jun 13 |
| 17 | ACCUSED REPORT | N/A | 1 | Report of Det. Aide D. WEST, Employee # [REDACTED] dated 10 Oct 13 |
| 18 | ACCUSED NOTIFICATION OF ALLEGATIONS FOR HIGGINS, LISA | ACCUSED - HIGGINS, LISA | | |
| 19 | ACCUSED REPORT | N/A | 1 | P/O Lisa HIGGINS, #7680 |
| 20 | ACCUSED NOTIFICATION OF ALLEGATIONS FOR FORBERG, BRIAN | ACCUSED - FORBERG, BRIAN | | |
| 21 | ACCUSED REPORT | N/A | 1 | Det. B. FORGERG, #21249 |
| 22 | ACCUSED NOTIFICATION OF ALLEGATIONS FOR LEE, LAWRENCE | ACCUSED - LEE, LAWRENCE | | |
| 23 | ACCUSED REPORT | N/A | 1 | P.O. Lawrence LEE, #9869, dated 14 Jun 13 |
| 24 | ACCUSED NOTIFICATION OF ALLEGATIONS FOR BRYANT, | ACCUSED - BRYANT, ALI | | |

| | | | | |
|----|--|------------------------------|---|---|
| 25 | ACCUSED REPORT | N/A | 1 | P.O. BRYANT, #11249, dated 30 Apr 13 |
| 26 | ACCUSED NOTIFICATION OF ALLEGATIONS FOR JONES JR, CLARENCE | ACCUSED - JONES JR, CLARENCE | | |
| 27 | ACCUSED REPORT | N/A | 1 | P/O Clarence JONES, Jr., #16142 |
| 28 | ACCUSED NOTIFICATION OF ALLEGATIONS FOR JONES, GREGORY | ACCUSED - JONES, GREGORY | | |
| 29 | ACCUSED REPORT | N/A | 1 | P.O. Gregory JONES, #19819, dated 05 May 13 |
| 30 | ACCUSED REPORT | N/A | 1 | P.O. Gregory JONES, #19819, dated 05 Nov 13 |
| 31 | ACCUSED NOTIFICATION OF ALLEGATIONS FOR ANNOR, SAMUEL | ACCUSED - ANNOR, SAMUEL | | |
| 32 | ACCUSED REPORT | N/A | 1 | P.O. Samuel ANNOR, #6224, dated 07 Sep 13 |
| 33 | REPORT (OTHER) | N/A | 4 | Face Sheet RE:CL 1056740 |
| 34 | ATTENDANCE AND ASSIGNMENT RECORD | N/A | 2 | 31 Aug 13 |

BUREAU OF INTERNAL AFFAIRS
Investigations Division
General Investigations Section


18 May 2015
Log No.: 1075022

To: Juan J. Rivera
Chief
Bureau of Internal Affairs

From: P.O. T. Batey #11794
Investigations Division
General Investigations Section


Subject: Completion of Complaint Log Number 1075022

The following investigation is completed and submitted for your approval.


Terry Batey
Police Officer

Bureau of Internal Affairs – General Investigations Section

APPROVED:


Case Management Supervisor – Joseph Stehlik
Sergeant
Bureau of Internal Affairs – General Investigations

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

LOG NO
1075022TYPE
INFODATE OF REPORT
18-MAY-2015

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

TO: DEPUTY SUPERINTENDENT, BUREAU OF PROFESSIONAL STANDARDS
ATTENTION: CHIEF, INTERNAL AFFAIRS DIVISION

| FROM - INVESTIGATOR'S NAME | RANK | STAR NO | EMPLOYEE NO | UNIT ASSIGNED | UNIT DETAILED |
|----------------------------|------|---------|-------------|---------------|---------------|
| BATEY, TERRY | 9161 | 11794 | | 121 | |

REFERENCE NOS. (LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

| | | |
|--|--------------------------------|-----------|
| INCIDENT ADDRESS: 1259 W. 79TH ST, CHICAGO, IL 60620 | DATE / TIME: 14-JUL-2012 20:07 | BEAT: 612 |
|--|--------------------------------|-----------|

ACCUSED

| NAME | RANK | STAR NO | EMP NO | UNIT ASSIGNED | UNIT DETAILED | SEX/RACE | DOB | APPOINTED DATE | ON DUTY ? | SWORN ? |
|------------------|------|---------|--------|------------------|------------------|----------|------|-------------------|--------------|------------|
| EBERLE, KEVIN R | 9165 | 20817 | | 620 | | M / WHI | 1968 | 22-NOV-1993 | YES | YES |
| FORBERG, BRIAN P | 9171 | 1373 | | 005 | 212 | M / WHI | 1960 | 10-JUL-1995 | UNK | YES |
| BARTIK, ROBERT A | 9171 | 907 | | 006 | 171 | M / WHI | 1964 | 07-NOV-1988 | YES | YES |
| JONES, DEVINN D | 9165 | 20668 | | 620 | | M / BLK | 1975 | 04-OCT-1999 | UNK | YES |
| WALTER, SAJIT | 9161 | 11288 | | 003 | 114 | M / API | 1972 | 01-MAY-2006 | UNK | YES |
| CAVAZOS, JESSE P | 9161 | 14027 | | 006 | 606 | M / S | 1979 | 23-JAN-2006 | YES | YES |

REPORTING PARTY

| NAME | ADDRESS* | CITY STATE | TELEPHONE | SEX / RACE | DOB / AGE |
|------|----------|-------------------|-----------|------------|-----------|
| | | DOWNERS GROVE, IL | | / | / |

VICTIMS

| NAME | ADDRESS* | CITY STATE | TELEPHONE | SEX / RACE | DOB / AGE |
|------|----------|------------|-----------|------------|-----------|
| | | | | / BLK | / |

WITNESSES

| NAME | ADDRESS* | CITY STATE | TELEPHONE | SEX / RACE | DOB / AGE |
|------|----------|------------|-----------|------------|-----------|
|------|----------|------------|-----------|------------|-----------|

* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

ALLEGATIONS

NOTE: Complaint Log "Type" remains classified Info-Sworn Affidavit NOT on file.

Allegation:

an attorney alleges on 11 July 2014 at 2035 hours at 1259 W. 79th St., Chicago, IL that the accused Department member engaged in malicious prosecution and conspiracy against

SUMMARY

On 06 May 2015 at 1634 hours, R/I telephoned Reporting Third Party, [REDACTED] at the number [REDACTED] listed on the face sheet. R/I spoke with [REDACTED] and he indicated that [REDACTED] was unavailable. R/I then left a message with [REDACTED] for [REDACTED] to return R/I's telephone call. (Attachment #1, #5)

In addition, on 06 May 2015, R/I mailed a certified letter to [REDACTED] at the address listed on the face sheet with tracking number: [REDACTED]. According to the USPS website, the certified letter was delivered on 12 May 2015 at 1430 hours. As of the date of this report, R/I have not received any form of communication from [REDACTED] regarding the allegation of [REDACTED] (Attachment #1, 6, 7)

The undersigned cannot verify the allegations contained in the Complaint Log due to [REDACTED] lack of cooperation in the investigation of the allegation. Based on the absence of a Sworn Affidavit, this investigation cannot proceed.

This case is to be CLOSED – NO CONVERSION.

ATTACHMENTS

| INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER | INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER: | PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS: | TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE: |
|--|--|---|---|
| 0 | 0 | 0 | 7 |

FINDINGS - RECOMMENDATIONS

Accused #1: DET. K. EBERLE #20817, Unit Assigned 620
Allegation: No Affidavit

Accused #2: SGT. B. FORBERG #1373, Unit Assigned 005, Unit Detailed 212
Allegation: No Affidavit

Accused #3: SGT. R. BARTIK #907, Unit Assigned 006, Unit Detailed 171
Allegation: No Affidavit

Accused #4: DET. D. JONES #20668, Unit Assigned 620
Allegation: No Affidavit

Accused #5: P.O. S. WALTER #11288, Unit Assigned 003, Unit Detailed 114
Allegation: No Affidavit

Accused #6: P.O. J. CAVAZOS #14027, Unit Assigned 006, Unit Detailed 606
Allegation: No Affidavit

RECOMMENDATIONS:

No Disciplinary action warranted; case to be filed.

DATE INITIATED
(Date incident was received for investigation)

06-MAY-2015

DATE COMPLETED (Date of this report)

18-MAY-2015

ELAPSED TIME
(Total time expressed in days)

12

Investigator will initiate the Command Channel Review form by completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE

Attachments

| No. | Type | Related Person | No. of Pages | Narrative | Original In File | Entered By | Entered Date/Time | Status | Approve Content? | Approve Inclusion? | Comments |
|------------------------|--|----------------|--------------|----------------------------|------------------|--------------------|-------------------|-------------------|------------------|--------------------|----------|
| View 1 | FACE SHEET | N/A | | | | QUERFURTH, PATRICK | 05-MAY-2015 15:12 | [EDIT] | | | |
| View 2 | CONFLICT CERTIFICATION | N/A | | | | BATEY, TERRY | 05-MAY-2015 16:46 | [EDIT] | | | |
| View 3 | SWORN AFFIDAVIT FROM COMPLAINANT | N/A | 1 | Sworn Affidavit | YES | BATEY, TERRY | 18-MAY-2015 20:46 | APPROVED [EDIT] | | YES | |
| View 4 | COURT DOCUMENTS (E.G., CIVIL COMPLAINTS, BOND SLIPS) | N/A | 22 | Civil Law Suit | YES | BATEY, TERRY | 18-MAY-2015 20:46 | APPROVED [EDIT] | | YES | |
| View 5 | ATTEMPT TO CONTACT | N/A | 1 | Attempt Telephone Contact | YES | BATEY, TERRY | 18-MAY-2015 20:47 | APPROVED [EDIT] | | YES | |
| View 6 | LETTER TO [REDACTED] | N/A | 3 | Certified Letter | YES | BATEY, TERRY | 18-MAY-2015 20:48 | APPROVED [EDIT] | | YES | |
| View 7 | U.S.P.S. (USPS) TRACKING REPORT | N/A | 1 | USPS Tracking Confirmation | YES | BATEY, TERRY | 18-MAY-2015 20:48 | APPROVED [EDIT] | | YES | |

Bureau of Professional Standards
Internal Affairs Division

18 Aug 08
CL# 1014713

TO: Commanding Officer
General Investigation Section

FROM: P.A. Linda Salustro
General Investigation Section

SUBJECT: Approval of Complaint Log Number 1014713

The attached Complaint Investigation has been completed and submitted
for your approval.



Linda Salustro
General Investigation Section

Approved:


Supervising Sergeant

fo Commanding Officer
General Investigation Section

SUMMARY REPORT DIGEST
CHICAGO POLICE DEPARTMENT

COMPLAINT LOG NO.
1014713

TYPE
CR

DATE OF REPORT (Day-Mo.-Yr.)
18 Aug 08

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION. SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED. SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: ☐ CHIEF ADMINISTRATOR,
INDEPENDENT POLICE REVIEW AUTHORITY ☒ CHIEF,
INTERNAL AFFAIRS DIVISION

FROM - INVESTIGATOR'S NAME
Linda SALUSTRO RANK P.A. STAR NO. 3944 EMPLOYEE NO. [REDACTED] UNIT ASSIGN. 121 UNIT DETAILED

REFERENCE NOS. (LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT TO THIS INVESTIGATION)
RD# [REDACTED]

ADDRESS OF INCIDENT
61 S. Langley Ave. Chicago II DATE OF INCIDENT - TIME
17 Feb 08 20:02 hrs BEAT OF INCIDENT
313

| NAME | | RANK | STAR NO. | EMPLOYEE NO. | UNIT ASSIGN. | UNIT DETAILED |
|------|---------------|------|----------|--------------|--------------|---------------|
| 1 | Kevin EBERLE | Det. | 20817 | [REDACTED] | 620 | |
| 2 | Brian FORBERG | Det. | 21249 | [REDACTED] | 620 | |
| 3 | Dennis KEANE | Cmd | 0739 | [REDACTED] | 012 | |

| SEX/RACE | D.O.B. | DATE OF APPOINTMENT | DUTY STATUS (TIME OF INCIDENT) | SWORN | CIVILIAN |
|----------|--------|---------------------|---|---|-----------------------------------|
| 1. M/W | 40 yrs | 22 Nov 93 | <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | <input checked="" type="checkbox"/> SWORN | <input type="checkbox"/> CIVILIAN |
| 2. M/W | 47 yrs | 10 Jul 95 | <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | <input checked="" type="checkbox"/> SWORN | <input type="checkbox"/> CIVILIAN |
| 3. M/W | 56 yrs | 03 Jan 77 | <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | <input checked="" type="checkbox"/> SWORN | <input type="checkbox"/> CIVILIAN |

| IF APPLIES, DATE ARRESTED/INDICTED | CHARGES | COURT BRANCH | DISPOSITION & DATE |
|------------------------------------|---------|--------------|--------------------|
| 1. | | | |
| 2. | | | |
| 3. | | | |

| NAME | ADDRESS** | CITY | STATE | TELEPHONE | SEX/RACE | D.O.B./AGE |
|------------|------------|---------|-------|------------|----------|------------|
| [REDACTED] | [REDACTED] | Chicago | 60637 | [REDACTED] | F/B | 33 yrs |

| NAME | ADDRESS** | CITY | STATE | TELEPHONE | SEX/RACE | D.O.B./AGE |
|------------|------------|---------|-------|------------|----------|------------|
| [REDACTED] | [REDACTED] | Chicago | 60637 | [REDACTED] | F/B | 58 yrs |
| [REDACTED] | [REDACTED] | Chicago | 60637 | [REDACTED] | F/B | 22 yrs |

☒ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

**IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

NOTE: Complaint "Type" is classified CR - Sworn Affidavit is on file.

The complainant, [REDACTED] alleges that on the above date, time and location the named Officers failed to conduct a thorough investigation into the shooting death of [REDACTED]

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s).
In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

SEE FOLLOWING PAGES

SUMMARY

ATTACH-
MENTS

INVESTIGATIVE REPORTS-
SUPPORTING ALLEGATION
LIST ATTACHMENT NUMBERS:
4,5,6,

INVESTIGATIVE REPORTS-
SUPPORTING ACCUSED MEMBER(S)
LIST ATTACHMENT NUMBERS:
9,17,20,22,24,

PHYSICAL EVIDENCE LIST
ATTACHMENT NUMBERS:

TOTAL NUMBER OF ATTACHMENTS
SUBMITTED WITH THIS FILE:

38

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the Investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation.
Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for --- days (not to exceed 5 days).

FINDINGS - RECOMMENDATIONS

SEE FOLLOWING PAGES

DATE INITIATED (Date complaint was received for investigation)

06 Mar 08

DATE COMPLETED (Date of this report)

18 Aug 08

ELAPSED TIME (Total time expressed in days)

165

Investigator will initiate the Command Channel Review form by
completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE

Signature printed by D-1, under a third year
or higher. Do not dated to, and
Date: 18 Aug 08 10:10:10 AM

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

Internal Affairs Division
General Investigation Section

18 Aug 08
CL 1014713

ADDITIONAL WITNESSES:

- 3: [REDACTED] F/B, 13 yrs of age
Chicago
4. [REDACTED] F/B, 12 yrs of age
Chicago

EVIDENCE:

Attachments

| No. | Type | No. of Pages | Narrative |
|-----|--|--------------|---|
| 1 | FACE SHEET | | |
| 2 | CONFLICT CERTIFICATION | | |
| 3 | SWORN AFFIDAVIT FROM COMPLAINANT | 1 | Signed by complainant |
| 4 | COMPLAINANT STATEMENT | 8 | Statement of [REDACTED] of deceased |
| 5 | INTERVIEW - WITNESS | 5 | Statement of witness [REDACTED] |
| 6 | INTERVIEW - WITNESS | 4 | Statement of Witness [REDACTED] |
| 7 | REPORT (OTHER) | 2 | Statement of [REDACTED] of [REDACTED] |
| 8 | INTERVIEW - WITNESS | 3 | [REDACTED] |
| 9 | DETECTIVE SUPPLEMENTARY REPORT | 17 | Detectives Scene Report |
| 10 | CRIME SCENE PROCESSING REPORT | 2 | |
| 11 | REPORT (OTHER) | 3 | Morgue Report |
| 12 | REPORT (OTHER) | 5 | Lab Report |
| 13 | REPORT (OTHER) | 2 | Inventory of Officer's and deceased weapons |
| 14 | REPORT (OTHER) | 2 | Inventory of expended shells |
| 15 | REPORT (OTHER) | 5 | Canvas Report |
| 16 | DETECTIVE SUPPLEMENTARY REPORT | 5 | Field Progress Report- Reclassification and result of GSR |
| 17 | DETECTIVE SUPPLEMENTARY REPORT | 5 | Lab Report Gun Shot Residue [REDACTED] |
| 18 | DETECTIVE SUPPLEMENTARY REPORT | 5 | Lab Report Gun Shot Residue [REDACTED] |
| 19 | ACCUSED NOTIFICATION OF ALLEGATIONS FOR FORBERG, BRIAN | | |
| 20 | STATEMENT OF POLICE OFFICER | 6 | Statement of Det. Forberg |
| 21 | ACCUSED NOTIFICATION OF ALLEGATIONS FOR EBERLE, KEVIN | | |
| 22 | STATEMENT OF POLICE OFFICER | 5 | Statement of Det. Eberle |
| 23 | ACCUSED NOTIFICATION OF ALLEGATIONS FOR KEANE, DENNIS | | |
| 24 | STATEMENT OF POLICE OFFICER | 4 | Commander Keane's |
| 25 | AUDIO RECORDING | 1 | Neighbor call to 911 |
| 26 | AUDIO RECORDING | 1 | Audio of call made to 911 |
| 27 | AUDIO RECORDING | 1 | neighbor call |
| 28 | AUDIO RECORDING | 1 | Neighbor call to 911 |
| 29 | AUDIO RECORDING | 1 | Neighbor call to 911 |
| 30 | AUDIO RECORDING | 1 | [REDACTED] call to 911 |
| 31 | AUDIO RECORDING | 1 | Call made by witness neighbor |
| 32 | AUDIO RECORDING | 1 | Neighbor call to 911 |
| 33 | AUDIO RECORDING | 1 | Neighbor call of shooting |

| | | |
|--------------------|----|--|
| 34 AUDIO RECORDING | 1 | Call to 911 made by family member as shooting occurs |
| 35 AUDIO RECORDING | 1 | Call made from [REDACTED] to 911 immediately after the shooting. |
| 36 AUDIO RECORDING | 1 | Call by [REDACTED] as shooting occurs |
| 37 REPORT (OTHER) | 21 | Service Calls-Event:Queries for calls to 911. |
| 38 REPORT (OTHER) | 2 | General Progress Report |

SUMMARY:

The "Face Sheet" attached to this Complaint identifies [REDACTED] as complainants. The investigation has found that these two individuals have no first hand knowledge of the incident therefore they were not interviewed.

[REDACTED] is the actual Complainant. She was interviewed and related that on 17 Feb 08 [REDACTED] shot and killed [REDACTED]. Her complaint is that the assigned Detectives failed to properly investigate the incident.

[REDACTED] related that after the shooting she was transported to Area 2. She complained that the brief interview that the Detectives conducted was not enough to get an accurate account of the shooting (Att 4).

[REDACTED] and [REDACTED] had two daughters while they were married. Their [REDACTED] was a witness to the shooting. [REDACTED] stated that she was questioned by the Detectives as to what had happened, "how it started," "who spoke first," "what side of the street did [REDACTED] come in," and other questions related to the shooting (Att 5).

The couple's [REDACTED] was also a witness to the shooting. [REDACTED] stated that she spoke with the Detectives at the Police Station but "they didn't really ask me what had happened." When questioned further about the types of questions she was asked by the Detectives [REDACTED] admitted that she was asked several questions regarding the shooting (Att 6).

[REDACTED] stated that [REDACTED] was taken to the Station on 111th Street where she spent many hours with the police after the shooting. [REDACTED] stated that she did not witness the shooting and had no first hand knowledge of what occurred (Att 7).

[REDACTED] stated that she did not know the names of the other witnesses but knew that there were people outside immediately after the shooting because she saw them. [REDACTED] stated that the Detectives did not ask her anything and they did not interview the other witnesses. [REDACTED] stated that she did not witness the shooting (Att 8).

Many reports were obtained regarding the shooting death of [REDACTED]. Detectives assigned to Area Two conducted a canvas of the area and spoke with six individuals. None of the persons interviewed witnessed the shooting (Att 15).

Although the Morgue Report states that [REDACTED] was shot several times, and no one saw him fire either of the two weapons he had on his person, gun shot residue was found on his hands. This indicates that [REDACTED] had fired a weapon prior to his death (Att 11, 18).

The accused Detectives as well as their Commanding Officer, (Lieutenant now Commander Dennis Keane) were served with the allegation made against them. A formal interview was then conducted with each accused.

Detectives FORBERG and EBERLE were served with;

1. Failing to conduct a thorough investigation into the death of her [REDACTED]
2. Failing to interview family members and neighbors that had first hand knowledge of the shooting death of [REDACTED]
3. Releasing information to the News Media that [REDACTED] had been shot four times.
4. Failure to notify the State's Attorney of the shooting death of [REDACTED]
5. Releasing [REDACTED] without filing charges for the shooting death of [REDACTED]

Regarding Allegation No 1 Detective FORBERG stated that he started his investigation at the scene of the shooting and continued it at Area Two as well as at the State's Attorney's Office and other residences (Att 20, pg 2).

When asked if he had interviewed family members that had first hand knowledge of the incident FORBERG replied that he interviewed [REDACTED] and [REDACTED]. He stated that the canvas of neighbors was conducted by assisting Detectives (Att 20, pg2).

FORBERG did not recall talking to anyone other than his partner about the number of gunshot wounds [REDACTED] suffered, and did not know how the Media learned that [REDACTED] was shot four times (Att 20, pg 3).

FORBERG stated that he spoke with Assistant State's Attorney Pfeiffer regarding the shooting. FORBERG stated that he made the Attorney aware of all of the facts as he knew them on that night. He stated he informed the State of the following facts; "That we were investigating an off duty Robbins Police Officer shooting, that we had witnesses at the Area, as well as the off duty Officer that we wanted to interview regarding the investigation." "That the offender had been fatally shot by the off duty officer and two hand guns had been recovered from the offender." "And that I may have told her other things, but as well as my recollection today that is what I remember telling her" (Att 20 pg 4).

FORBERG stated that a decision not to seek charges against off duty Officer [REDACTED] was made by him, Det. Eberle and Lt. Keane. FORBERG stated that the investigation at that time revealed that charges were not warranted against [REDACTED] (Att 20 pg 5).

FORBERG stated that he presented the investigation to Dave Navarro of the State's Professional Standards Unit for further review after Navarro inquired about the investigation (Att 20 pg 5).

Detective EBERLE was served with the same allegations and asked relative questions. EBERLE stated that he and his partner conducted their investigation of the shooting at the scene and at Area Two (Att 22 pg 2).

EBERLE stated that he interviewed the family members that were present at the scene, [REDACTED]

EBERLE denied telling anyone the number of gun shot wounds [REDACTED] received and stated that he was not informed of the number until the next day when he spoke with the Medical Examiner. EBERLE did not know how the News Media obtained the information that [REDACTED] was shot four times (Att 22 pg 3).

EBERLE stated that his partner FORBERG spoke with the State's Attorney and that after reviewing the facts of the investigation a decision was made not to seek charges against the off duty Robbins Officer. EBERLE stated that the decision was made by him, FORBERG and Lieutenant KEANE (Att 22 pg 4).

Commander (Lieutenant) KEANE was served with the allegation that Area 2 Detectives failed to conduct a thorough investigation. During his statement Commander KEANE stated that he responded to the scene of the shooting where he viewed the body of [REDACTED]

KEANE stated that he did not interview any of the persons involved in the incident. KEANE stated that he ensured that the State's Attorney was notified and that the Chief of Felony Review was consulted. Commander KEANE stated that his Detectives were twice told that the State was not coming out (Att 24 pg 2).

Commander KEANE stated that he discussed the facts of the case with his Detectives and based on the facts known at that time no charges were warranted (Att 24 pg 3).

The Detectives and Commander KEANE each stated that in their experience with the State's Attorney's Office they have found that the State always comes out on a shooting involving a Chicago Police Officer. This shooting was the first Suburban Officer involved shooting that any of the Officers had encountered, and considered the incident to be an extraordinary circumstance (Att 20 pg 6, 22 pg 4, 24 pg 3).

In conclusion this investigation has found that the Detectives assigned to investigate the shooting death of [REDACTED] performed their duties in compliance with Department Guidelines and Directives. After review of all of the information learned it is this investigator's recommendation that this investigation should be classified as unfounded.

FINDINGS:

ACCUSED: #1. Detective Kevin Eberle # 20817

- ALLEGATION:
1. Unfounded in that evidence shows that extensive work went into the death investigation.
 2. Unfounded, based on statements made by the family that the three family members who witnessed the shooting were interviewed at great lengths after the incident.
 3. Not sustained in that the allegation made cannot be proved or disproved.
 4. Unfounded based on the fact that the State's Attorney's Office was contacted by his partner Det. Forberg
 5. Exonerated, in that Officer's actions were lawful and complied with Department Directives.

#2. Detective Brian Forberg # 21249

1. Unfounded in that evidence shows that extensive work went into the death investigation.
2. Unfounded, based on statements made by the family that the three family members who witnessed the shooting were interviewed at great lengths after the incident.
3. Not sustained in that the allegation made cannot be proved or disproved.
4. Unfounded based on the fact that the State's Attorney's Office was contacted but refused to come out to conduct an investigation.
5. Exonerated, in that Officer's actions were lawful and complied with Department Directives.

#3. Commander Dennis Keane # 739

1. Unfounded, based on the information found during this investigation it has been determined that supervised Area 2 Detectives as they conducted a thorough investigation into the shooting death of Marcus McKinney.

RECOMMENDATION:

None, case to be filed.

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

LOG NO

1053015

TYPE

CR

DATE OF REPORT

05-NOV-2012

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

TO: CHIEF ADMINISTRATOR, INDEPENDENT POLICE REVIEW AUTHORITY

| FROM - INVESTIGATOR'S NAME | RANK | STAR NO | EMPLOYEE NO | UNIT ASSIGNED | UNIT DETAILED |
|----------------------------|------|---------|-------------|---------------|---------------|
| KALANTZIS, TOM | 9183 | | | 113 | |

REFERENCE NOS. (LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

| | | |
|--|--------------------------------|-----------|
| INCIDENT ADDRESS: 727 E. 111TH ST, CHICAGO, IL 60628 | DATE / TIME: 30-MAR-2012 02:03 | BEAT: 531 |
|--|--------------------------------|-----------|

ACCUSED

| NAME | RANK | STAR NO | EMP NO | UNIT ASSIGNED | UNIT DETAILED | SEX/RACE | DOB | APPOINTED DATE | ON DUTY ? | SWORN ? |
|------------------|------|---------|--------|------------------|------------------|----------|------|-------------------|--------------|------------|
| FORBERG, BRIAN P | 9165 | 21249 | | 620 | | M / WHI | 1960 | 10-JUL-1995 | YES | YES |
| EBERLE, KEVIN R | 9165 | 20817 | | 620 | | M / WHI | 1968 | 22-NOV-1993 | YES | YES |

REPORTING PARTY

| NAME | ADDRESS* | CITY STATE | TELEPHONE | SEX / RACE | DOB / AGE |
|------|----------|-------------|-----------|------------|-----------|
| | | CHICAGO, IL | | F / U | / |

VICTIMS

| NAME | ADDRESS* | CITY STATE | TELEPHONE | SEX / RACE | DOB / AGE |
|------|----------|-------------|-----------|------------|-----------|
| | | CHICAGO, IL | | F / U | / |

WITNESSES

| NAME | ADDRESS* | CITY STATE | TELEPHONE | SEX / RACE | DOB / AGE |
|------|----------|------------|-----------|------------|-----------|
|------|----------|------------|-----------|------------|-----------|

* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS IN ADDRESS. PAX/BELL IN TELEPHONE BOX.

ALLEGATIONS

See Page 3

SUMMARY

ATTACHMENTS

| INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER | INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER: | PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS: | TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE: |
|--|--|---|---|
| 18 | 44, 48, 49 | | 51 |

FINDINGS - RECOMMENDATIONS

FINDINGS:

ACCUSED OFFICER #1: Detective Brian Forberg #21249

ALLEGATIONS #1-7: Not Sustained

ACCUSED OFFICER #2: Detective Kevin Eberle #20817

ALLEGATIONS #1-7: Not Sustained

IPRA Supervisor

DATE INITIATED
(Date incident was received for investigation)

20-APR-2012

DATE COMPLETED (Date of this report)

05-NOV-2012

ELAPSED TIME
(Total time expressed in days)

199

Investigator will initiate the Command Channel Review form by
completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

ALLEGATIONS:

On 02 April 2012, at 1657 hours, an online complaint by the Reporting Party Victim, [REDACTED] was retrieved by Intake Aide Nicole Johnson who registered this complaint on behalf of [REDACTED]. It is alleged that on 30 March 2012, at approximately 0203 hours, at 727 E. 111th Street, Detective Brian Forberg #21249, and Detective Kevin Eberle #20817, Unit 620:

- 1) Referred to [REDACTED] as "cunt ass;"
- 2) Refused to provide medical attention upon [REDACTED] request;
- 3) Pulled [REDACTED] by the hair;
- 4) Pulled [REDACTED] by her purse;
- 5) Pushed a table against [REDACTED];
- 6) Blew cigarette smoke in [REDACTED] face; and
- 7) Failed to return [REDACTED] cellular telephone.

INVESTIGATION:

In a statement to IPRA, Reporting Party Victim [REDACTED] stated that she and [REDACTED] went to the 002nd District after they learned that a "Sgt. Brian" was looking for them. [REDACTED] was questioned briefly by two unknown male detectives and was then taken to the Area 2 Detective Division at 111th Street. While there, two detectives, now known as Det. Brian Forberg #21249 and Det. Kevin Eberle #20817, took [REDACTED] into a room and began to question her as to what she was doing in the area of 21st W. 75th Place. [REDACTED] responded that she lives in the area and did not know what they were asking her about. [REDACTED] stated that she began to feel sick and was using her inhaler. [REDACTED] complained that she was asthmatic and she recently had her appendix removed and her intestine repaired, and that she had eaten only half of a sandwich. [REDACTED] was allowed to use the washroom and was placed back in the room. The detectives returned to the room and began to question her again. [REDACTED] stated that she began to have shortness of breath and asked for help. The detectives left the room and shut the door.

[REDACTED] stated that 15 minutes passed and no one came to help her. She began getting weaker and was about to pass out. [REDACTED] called 911 with her cellular phone and asked for an ambulance. The dispatcher asked to speak to an officer after [REDACTED] informed the dispatcher that she was at the police station. [REDACTED] called on the officers and the detectives came in the room. One of the detectives took the phone out of her hand and pulled her hat off her head. The detective then pulled [REDACTED] hair and pulled her by her purse. [REDACTED] stated that the detective accused her of attempting to commit suicide, shoved a table into her and called her a "cunt ass." [REDACTED] stated that one of the detectives lit up two cigarettes and blew the smoke in her face twice. A few minutes later, the paramedics arrived and asked the detectives if she was under arrest. They responded that [REDACTED] was not under arrest. [REDACTED] stated that the paramedics

took her to Roseland Community Hospital. After 30 minutes without getting any medical attention, she called her sister who came and took her to Christ Hospital. [REDACTED] stated that she saw a doctor at Christ Hospital and was given some anxiety medication. [REDACTED] added that she did not attempt to hurt herself or commit suicide while at the police station. (Att. 18)

In a **To/From report**, the R/I spoke to [REDACTED] who stated that he was transported to Area 2 Detective Division along with [REDACTED] for questioning in regards to one of his friends' vehicle that may have been involved in a shooting. [REDACTED] stated that he and [REDACTED] were questioned in separate rooms. [REDACTED] stated that after being released, he was informed that [REDACTED] was taken to Roseland Community Hospital. He proceeded to Roseland Community Hospital and learned that [REDACTED] had gone to Christ Hospital. [REDACTED] stated that when he saw [REDACTED] she informed him that one of the detectives had "rammed" her with a table and pulled her purse from around her neck. [REDACTED] did not observe any injury to [REDACTED] and did not observe any officer abuse [REDACTED] (Att. 21)

Medical Records from Advocate Christ Medical Center indicated that [REDACTED] was present at the Emergency Room on 30 March 2012, at 0411 hours, with stress and anxiety after being questioned in the police station. She complained of pain all over. She was diagnosed [REDACTED] (Att. 28)

Medical Records from Roseland Community Hospital indicated that no treatment was provided to [REDACTED] on or about 30 March 2012. (Att. 29)

A **Chicago Fire Department Ambulance Report** indicated that [REDACTED] was found in an interview room with CPD, and complained of abdominal and chest pains which she described as lower right side of abdomen going up to chest area. [REDACTED] was given patient care and taken to the hospital ER. [REDACTED] case type was classified as asthma attack. (Att. 09)

Office of Emergency Management and Communication (OEMC) Records indicated that a 44-year-old female at the police station with chest pains was calling for Emergency Medical Service. It listed "727 E. 111th Street" as the address of occurrence. (Att. 07)

A **Case Supplementary Report** under RD# [REDACTED] relates that Detectives Forberg and Eberle interviewed [REDACTED] at Area 2 regarding a homicide investigation that occurred at 14 [REDACTED] W. 79th St. on 29 March 2012 at approximately 1800 hours. The detectives confronted [REDACTED] about the offenders entering the vehicle that she was driving at the time to make good their flight. [REDACTED] became hostile and replied that she was not in the area at the time of the shooting. [REDACTED] insisted that she did not lend the car to anybody at any time. [REDACTED] began to complain of chest pains and shortness of breath. The interview was terminated and a CFD ambulance responded to the area and [REDACTED] was transported to Roseland Hospital for treatment. (Att. 49)

In a To-From-Subject-Report, accused Det. Brian Forberg #21249, stated that he briefly interviewed [REDACTED] regarding the [REDACTED] homicide investigation. [REDACTED] requested medical attention. CFD responded to the Area and rendered medical assistance to [REDACTED]. Det. Forberg denied the allegations made against him and added that he did not observe Det. Eberle commit any of the acts described by [REDACTED] (Att. 44)

In a To-From-Subject-Report, accused Det. Kevin Eberle #20817 stated essentially the same account as the one provided by Det. Forberg. Det. Eberle denied the allegations made against him and added that he did not observe Det. Forberg commit any of the allegations made against him. (Att. 48)

CONCLUSION:

The Reporting Investigator recommends a finding of **Not Sustained** for **Allegations #1-7** against **Det. Forberg** in that he referred to [REDACTED] as "cunt ass"; refused to provide medical request upon [REDACTED] request: pulled [REDACTED] by the hair; pulled [REDACTED] by her purse; pushed a table against [REDACTED] blew cigarette smoke in [REDACTED] face; and failed to return [REDACTED] cellular telephone. Det. Forberg denied the allegations made against him. [REDACTED] was treated at Christ Hospital for stress and anxiety. [REDACTED] did not observe any injury to [REDACTED] and did not observe any officer abuse [REDACTED]. There is no evidence to corroborate or refute the allegations made by [REDACTED].

The Reporting Investigator recommends a finding of **Not Sustained** for **Allegations #1-7** against **Det. Eberle** in that he referred to [REDACTED] as "cunt ass"; refused to provide medical request upon [REDACTED] request: pulled [REDACTED] by the hair; pulled [REDACTED] by her purse; pushed a table against [REDACTED] blew cigarette smoke in [REDACTED] face; and failed to return [REDACTED] cellular telephone. This finding is based on the same reasons as stipulated for Det. Forberg.

Typed by Inv. B. Anaele #115
Edited by Inv. Kalantzis #149

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

LOG NO

1033675

TYPE

CR

DATE OF REPORT

01-MAY-2013

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

TO: CHIEF ADMINISTRATOR, INDEPENDENT POLICE REVIEW AUTHORITY

| FROM - INVESTIGATOR'S NAME | RANK | STAR NO | EMPLOYEE NO | UNIT ASSIGNED | UNIT DETAILED |
|----------------------------|------|---------|-------------|---------------|---------------|
| GALINDO, MARGARITA | 9183 | | | 113 | |

REFERENCE NOS. (LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

| | | |
|--|-------------------------------|-----------|
| INCIDENT ADDRESS: 2337 E. 85TH ST, CHICAGO, IL 60617 | DATE / TIME 22-JUN-2008 01:06 | BEAT: 412 |
|--|-------------------------------|-----------|

ACCUSED

| NAME | RANK | STAR NO | EMP NO | UNIT ASSIGNED | UNIT DETAILED | SEX/RACE | DOB | APPOINTED DATE | ON DUTY ? | SWORN ? |
|---------------------|------|---------|--------|---------------|---------------|----------|------|----------------|-----------|---------|
| GROSS, DETRA L | 9201 | 15582 | | 277 | | F / BLK | 1969 | 23-OCT-1995 | YES | YES |
| BEMBYNISTA, JOSEPH | 9201 | 15359 | | 177 | | M / WHI | 1949 | 14-DEC-1970 | YES | YES |
| GAHAGAN, KATHLEEN L | 9207 | 14346 | | 277 | | F / WHI | 1950 | 14-FEB-1983 | YES | YES |
| JOHNSON, BRIAN M | 9165 | 20948 | | 620 | | M / WHI | 1970 | 05-AUG-1996 | YES | YES |
| FORBERG, BRIAN P | 9165 | 21249 | | 620 | | M / WHI | 1960 | 10-JUL-1995 | YES | YES |

REPORTING PARTY

| NAME | ADDRESS* | CITY STATE | TELEPHONE | SEX / RACE | DOB / AGE |
|--------------------|--------------------------------|------------|-----------|------------|-----------|
| GALINDO, MARGARITA | RANK: 9183, STAR NO: , EMP NO: | | | F / S | 1977 / 36 |

VICTIMS

| NAME | ADDRESS* | CITY STATE | TELEPHONE | SEX / RACE | DOB / AGE |
|------|----------|-------------|-----------|------------|-----------|
| | | CHICAGO, IL | | M / BLK | 1971 / 42 |

WITNESSES

| NAME | ADDRESS* | CITY STATE | TELEPHONE | SEX / RACE | DOB / AGE |
|------|----------|------------|-----------|------------|-----------|
|------|----------|------------|-----------|------------|-----------|

* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

ALLEGATIONS

See page 3.

SUMMARY

See Summary Report.

ATTACHMENTS

| INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER | INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER: | PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS: | TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE: |
|--|--|---|---|
| 8 | 9-54 | | 55 |

FINDINGS - RECOMMENDATIONS

Accused: FI Detra Gross, #15582, Unit 177/277
Allegations #1-3: Unfounded

Accused: FI Joseph Bembynista, #15359, Unit 177
Allegations #1-3: Unfounded

Accused: FI Kathleen Gahagan, #14346, Unit 177/277
Allegations #1-3: Unfounded

Accused: Detective Brian Johnson, #20948, Unit 620
Allegation: #1-2: Unfounded

Accused: Detective Brian Forberg, #21249, Unit 620
Allegations #1-2: Unfounded

Approved:



IPRA Supervisor

DATE INITIATED
(Date incident was received for investigation)

08-FEB-2010

DATE COMPLETED (Date of this report)

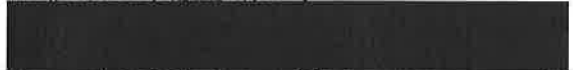
01-MAY-2013

ELAPSED TIME
(Total time expressed in days)

1178

Investigator will initiate the Command Channel Review form by
completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE



IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

INDEPENDENT POLICE REVIEW AUTHORITY
LOG# 1033675

ALLEGATIONS:

On 05 Feb 10 at 1153 hours, IPRA Inv. Margarita Galindo #135, registered the complaint.

It is alleged that on 22 Jun 08 between 0100-0400 hours, at 2337 E. 85th Street: **Forensic Investigator Detra Gross, #15582, Unit 177, Forensic Investigator Joseph Bembynista, #15359, Unit 177, and Forensic Investigator Kathleen Gahagan, #14346, Unit 177:**

1. observed and had knowledge of misconduct and failed to report it;
2. disturbed crime scene evidence/body of the deceased, [REDACTED]
3. and failed to inventory evidence.

It is further alleged that on 22 Jun 08 between 0100-0400 hours, at 23 [REDACTED] E. 85th Street: **Detective Brian Johnson, #20948, Unit 620 and Detective Brian Forberg, #21249, Unit 620:**

1. observed and had knowledge of misconduct and failed to report it;
2. disturbed crime scene evidence/body of the deceased, [REDACTED]

¹ Throughout the course of the investigation, [REDACTED] name was incorrectly written or stated as [REDACTED]. The correct name is [REDACTED] and will be written as such throughout the Summary Report.

INDEPENDENT POLICE REVIEW AUTHORITY
LOG# 1033675

INVESTIGATION:

While conducting the investigation of LOG# 1017558/U# 08-20, a police-involved shooting, **Evidence Technician photographs** of the crime scene depicted a menu on top of several phone books displayed on [REDACTED] deceased body. The part of the menu that was face-up displayed the wording, "We Deliver." Subsequent evidence technician photographs did not depict the phonebooks or menu on the body of [REDACTED] but did depict [REDACTED] clothing moved or re-arranged to show the various injuries to his body.² (Att. #4, 7).

The **Crime Scene Processing Report** indicates that the assigned Forensic Investigators were FI Detra Gross, Kathleen Gahagan, and Joseph Bembynista and the assigned Detectives were Det. Brian Johnson and Det. Brian Forberg. (Att. #5-7).

In a statement to IPRA on 07 Jun 11, **accused Forensic Investigator (FI) Detra Gross** stated that on the date of the incident she was working with FI Gahagan and FI Bembynista. FI Gross stated that her specific duties were to "plug in" or enter information in the computer for the crime scene processing reports for that crime scene. FI Gross explained that the Forensic Investigator's duties change from scene to scene, sometimes processing the crime scene evidence, videotaping/photographing the scene or compiling all of the evidence into a written report. FI Gross stated that upon arriving at the scene, FI Gahagan photographed and videotaped the scene as it appeared, without making any changes. FI Gross assisted FI Gahagan with lighting and positioning when necessary. When shown a photograph of the deceased, [REDACTED] FI Gross recalled the menu and phone books already on his body when the Forensic Investigators arrived. FI Gross did not recall who removed the phonebooks or menu from [REDACTED] body. In another Evidence Technician photograph where the phonebooks and menus were removed from [REDACTED] body, FI Gross stated that they were removed for the purposes of photographing [REDACTED] body and his wounds. FI Gross did not recall who removed the phonebooks or menu from [REDACTED] body or who assisted in moving the body for the purposes of photographing injuries. FI Gross did not know why the phone books and menu were not inventoried as part of the crime scene. FI Gross stated that generally a detective, preliminary scene officer or supervisor will inform the forensic investigator's that something is not part of the crime scene and that it does not need to be inventoried. FI Gross did not recall anyone at the scene placing the menu and phone books on [REDACTED] body or making a joke about the menu and phonebooks. (Att. # 9-16, 33).

In a statement to IPRA on 08 Jun 11, **accused Forensic Investigator Joseph Bembynista** stated that on the date of the incident he was working as his own unit,

² The involved officers were interviewed during the investigation of LOG# 1017558/U# 08-20. It was determined that only Lt. John Ryan, #377 actually entered the vestibule area and this was done immediately after the shooting in order to remove the guns that [REDACTED] had on his person so that [REDACTED] could not reach for them. For that reason the officers and Lt. Ryan were not accused and were not interviewed for this LOG# investigation.

INDEPENDENT POLICE REVIEW AUTHORITY
LOG# 1033675

separate from FI Gross and FI Gahagan. FI Bembynista stated he went to the Area for the purposes of retrieving the involved officer's weapons then went to the scene to plot or sketch the crime scene. FI Bembynista stated that he had no investigative responsibility at the scene. [REDACTED] body was no longer at the scene when he arrived and FI Bembynista never viewed it. FI Bembynista stated he was not tasked with any crime scene processing; denied any knowledge of misconduct; denied tampering with the crime scene; and denied failing to inventory any evidence (Att. #17-24, 34).

In a statement to IPRA on 10 Jun 11, **accused Forensic Investigator Kathleen Gahagan** stated that she was working with FI Gross and was assigned to process the crime scene at 23 [REDACTED] E. 85th Street. FI Gahagan stated that the procedure upon arriving at a crime scene is that two Forensic Investigators work together as a team and conduct a walk-through of the crime scene to get an idea of the physical evidence and its location. One investigator will then photograph the crime scene while the other catalogs the evidence into a computer. FI Gahagan stated that upon arriving at the incident, she learned the [REDACTED] had already been pronounced dead but was still on the scene. FI Gahagan began photographing the scene while FI Gross cataloged the crime scene evidence. FI Gahagan was shown the photographs of [REDACTED] with the phonebook and menu on his body and the photographs after they were removed from his body. FI Gahagan stated that the body of [REDACTED] had the phone book and menu on it when she arrived at the crime scene and she photographed it for that reason. FI Gahagan was not given an explanation or reason for the phone books and menu on [REDACTED] body. FI Gahagan stated that at some point the phone books and menu were removed from on top of [REDACTED] body for the purposes of photographing his wounds and aligning his wounds with his clothing. FI Gahagan did not remove the phone books and menu and did not know who removed them. The phone books were not considered physical evidence because they had not been used as a weapon by [REDACTED] or against [REDACTED] so they were not inventoried. FI Gahagan stated the assigned detectives on the scene decide what crime scene evidence is inventoried and the forensic investigators will then catalog and inventory the evidence. Based on the Crime Scene Processing Report the assigned detectives were Detectives Brian Johnson and Brian Forberg. FI Gahagan denied any knowledge of misconduct and stated she would have reported misconduct if she had observed or heard any; denied tampering with the crime scene; and denied failing to inventory any evidence. (Att. #25-32, 35).

Department reports including the Case Supplementary Report include the assigned Detectives names as well as the information pertaining to the police-involved shooting. (Att. #36).

In a statement to IPRA on 07 Sep 12, **accused Detective Brian Johnson** stated he was assigned to Area 2 Homicide, detective division, and investigated the police-involved shooting that occurred at 23 [REDACTED] E. 85th Street with his partner, Det. Brian Forberg. Det. Johnson stated upon arriving at the scene of a homicide he typically views the scene and surrounding area then will talk to an on-scene supervisor from the Patrol Division to get general idea of what occurred. Det. Johnson typically enters the inner

INDEPENDENT POLICE REVIEW AUTHORITY
LOG# 1033675

perimeter of the crime scene which he referred to as the inner sanctum of the crime scene where events occurred and where the evidence is. In this case, the inner perimeter, the vestibule, also contained [REDACTED] body. Det. Johnson stated that he when arrived at the crime scene, [REDACTED] body was lying in the vestibule. To the best of Det. Johnson's recollection, [REDACTED] body did have the phone books and menu on top of it when he first observed it after arriving at the scene. Det. Johnson did not ask for or receive an explanation as to how or why the phonebooks or menu ended up on top of [REDACTED] body but stated he did not observe anyone place them on [REDACTED] body. Det. Johnson could not recall when the items were removed from on top of [REDACTED] body but stated that [REDACTED] body was moved for the purposes of photographing his injuries. The phonebooks and menu would have been removed from [REDACTED] body after initially photographing it as it originally was, with the phone books and menu. Det. Johnson stated the photographs are taken in order of how the scene looks originally and are continually taken as the scene is changed in order to document the changes being made for the purposes of the investigation. Det. Johnson stated that the most likely reason for the phonebooks and menu not being inventoried was that they did not have any evidentiary value and were not considered useful to the investigation. Det. Johnson denied observing and having knowledge of misconduct and failing to report it and disturbing the crime scene evidence/body of [REDACTED] (Att. 37-45).

In a statement to IPRA on 20 Feb 13, accused Detective Brian Forberg stated he was working third watch at Area 2. Det. Forberg was assigned to investigate the police-involved shooting that occurred at 23 [REDACTED] E. 85th Street. Upon arriving at the crime scene Det. Forberg sought out an officer or supervisor who could provide a synopsis of the incident and pertinent information. Det. Forberg stated that the phonebooks and menu were on top of [REDACTED] body when he arrived at the scene and did not recall if anyone there stated how they ended up on [REDACTED] body. Det. Forberg stated that the phone books and menu were most likely removed from [REDACTED] body for the purposes of photographing [REDACTED] injuries and clothing. Det. Forberg did not know when or who removed the phone books and menu as he did not observe when it was being done. Det. Forberg stated that the phone books and menu were not inventoried as they did not have any evidentiary value and the photographs that were taken of them were sufficient for the homicide investigation that was being conducted. Det. Forberg denied having knowledge of misconduct and failing to report it and disturbing the crime scene. (Att. #46-54).

INDEPENDENT POLICE REVIEW AUTHORITY
LOG# 1033675

CONCLUSION:

The R/I recommends a finding of **Unfounded** for **Allegations #1-3** against FI Detra Gross that she observed and had knowledge of misconduct and failed to report it, disturbed crime scene evidence/body of the deceased, [REDACTED] and failed to inventory evidence. There is no evidence to prove the allegations. The body of [REDACTED] already had the phone books and menu on it when the forensic investigators arrived at the crime scene. Forensic investigators Gross and Gahagan had no knowledge of how the items came to rest on [REDACTED] body. The forensic investigators are tasked with photographing and cataloguing the crime scene and physical evidence as instructed by detectives. FI Gross and Gahagan stated they were unaware of when the phone books and menu were removed from on top of [REDACTED] body but both stated those items were removed for the purposes of photographing the injuries to [REDACTED] body and [REDACTED] clothing, which is the process at a crime scene. Both forensic investigators denied observing or hearing any misconduct while at the crime scene. Additionally, forensic investigators do not determine what comprises evidentiary value at a crime scene; the determination is made by the assigned detectives. For these reasons the R/I recommends a finding of Unfounded for Allegations #1-3 against FI Gross.

The R/I recommends a finding of **Unfounded** for **Allegations #1-3** against FI Joseph Bembynista that he had knowledge of misconduct and failed to report it, disturbed crime scene evidence/body of the deceased, [REDACTED] and failed to inventory evidence. There is no evidence to support the allegations. FI Bembynista stated that he was initially sent to Area 2 to retrieve the weapons of the involved officers. FI Bembynista stated his only duty at 23 [REDACTED] E. 85th Street was to plat or draw a sketch of the crime scene. FI Bembynista stated that the body of [REDACTED] was no longer at the scene when he arrived and he never viewed it and therefore had no knowledge of the phone books or menu on the body of [REDACTED]. For these reasons, the R/I recommends a finding of Unfounded for Allegations #1-3 against FI Bembynista.

The R/I recommends a finding of **Unfounded** for **Allegations #1-3** against FI Kathleen Gahagan that she observed and had knowledge of misconduct and failed to report it, disturbed crime scene evidence/body of the deceased, [REDACTED] and failed to inventory evidence. There is no evidence to prove the allegations. The body of [REDACTED] already had the phone books and menu on it when the forensic investigators arrived at the crime scene. Forensic investigators Gross and Gahagan had no knowledge of how the items came to rest on [REDACTED] body. The forensic investigators are tasked with photographing and cataloguing the crime scene and physical evidence as instructed by detectives. FI Gross and Gahagan stated they were unaware of when the phone books and menu were removed from on top of [REDACTED] body but both stated those items were removed for the purposes of photographing the injuries to [REDACTED] body and [REDACTED] clothing, which is the process at a crime scene. Both forensic investigators denied observing or hearing any misconduct while at the crime scene. Additionally, forensic investigators do not determine what comprises evidentiary value at

INDEPENDENT POLICE REVIEW AUTHORITY
LOG# 1033675

a crime scene; the determination is made by the assigned detectives. For these reasons the R/I recommends a finding of Unfounded for Allegations #1-3 against FI Gahagan.

The R/I recommends a finding of **Unfounded** for **Allegations #1-2** against Det. Brian Johnson that he observed and had knowledge of misconduct and failed to report it and disturbed crime scene evidence/body of the deceased, [REDACTED]. There is no evidence to support the allegations. The detectives both stated that they had no knowledge of how the phonebooks and menu came to rest on [REDACTED] body. The items were already on the body of [REDACTED] when the assigned detectives arrived at the scene. Neither of the detectives observed the phonebooks or menu being removed from [REDACTED] body but stated that they were most likely removed for the purposes of photographing [REDACTED] injuries as well as his clothing. Neither detective could recall if he assisted in moving [REDACTED] body but stated that it would not be unusual for them to assist in moving a body at a crime scene for the purposes of photographing the body and that action is not considered disturbing crime scene evidence. The detectives stated that the phonebooks and menu were not inventoried because they offered no evidentiary value to the homicide investigation and photographing them was sufficient for the homicide investigation. Neither detective observed or heard any misconduct on behalf of other officers. For these reasons the R/I recommends a finding of Unfounded for Allegations #1-2 against Det. Brian Johnson.

The R/I recommends a finding of **Unfounded** for **Allegations #1-2** against Det. Brian Forberg that he observed and had knowledge of misconduct and failed to report it and disturbed crime scene evidence/body of the deceased, [REDACTED]. There is no evidence to support the allegations. The detectives both stated that they had no knowledge of how the phonebooks and menu came to rest on [REDACTED] body. The items were already on the body of [REDACTED] when the assigned detectives arrived at the scene. Neither of the detectives observed the phonebooks or menu being removed from [REDACTED] body but stated that they were most likely removed for the purposes of photographing [REDACTED] injuries as well as his clothing. Neither detective could recall if he assisted in moving [REDACTED] body but stated that it would not be unusual for them to assist in moving a body at a crime scene for the purposes of photographing the body and that action is not considered disturbing crime scene evidence. The detectives stated that the phonebooks and menu were not inventoried because they offered no evidentiary value to the homicide investigation and photographing them was sufficient for the homicide investigation. Neither detective observed or heard any misconduct on behalf of other officers. For these reasons the R/I recommends a finding of Unfounded for Allegations #1-2 against Det. Brian Forberg.

INDEPENDENT POLICE REVIEW AUTHORITY
LOG# 1033675

(Signatures Only)



Inv. Margarita Galindo #135

Approved:



IPRA Supervisor

**BUREAU OF PROFESSIONAL STANDARDS
INTERNAL AFFAIRS DIVISION**


11 February 2009
Log : #1022746

TO: Commanding Officer
General Investigations Section
Internal Affairs Division


FROM: Police Officer Christopher TALIAFERRO #14979
General Investigations Section
Internal Affairs Division


SUBJECT: Approval of Complaint Log Investigation, #1022746

The attached Complaint Log Investigation has been completed and is submitted for your approval.


P. O. Christopher TALIAFERRO #14979
General Investigations Section
Internal Affairs Division

APPROVED:


Supervising Sergeant
General Investigations Section
Internal Affairs Division


Commanding Officer
General Investigations Section
Internal Affairs Division

08 13 FEB 09

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

COMPLAINT LOG NO.
#1022746

TYPE
Info

DATE OF REPORT (Day-Mo-Yr)
11 February 2009

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION. SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED. SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: ☐ CHIEF ADMINISTRATOR,
INDEPENDENT POLICE REVIEW AUTHORITY

☒ CHIEF,
INTERNAL AFFAIRS DIVISION

FROM: INVESTIGATOR'S NAME
Christopher TALIAFERRO

RANK
P.O.

STAR NO.
14979

EMPLOYEE NO.
[REDACTED]

UNIT ASSIGN.
121

UNIT DETAILED

REFERENCE NOS. (LIST ALL RELATED C.L., C. B., I.R., INVENTORY NOS., ETC., PERTINENT TO THIS INVESTIGATION)

Civil Suit # [REDACTED] CB # [REDACTED]

ADDRESS OF INCIDENT
105 [REDACTED] S. Longwood Drive

DATE OF INCIDENT - TIME
14 November 2005 1030 hours

BEAT OF INCIDENT
2212

| NAME | RANK | STAR NO. | EMPLOYEE NO. | UNIT ASSIGN. | UNIT DETAILED |
|---------------------|------|----------|--------------|--------------|---------------|
| 1. Brian P. FORBERG | Det | 21249 | [REDACTED] | 620 | |
| 2. Kevin R. EBERLE | Det | 20817 | [REDACTED] | 620 | |
| 3. | | | | | |

| SEX/RACE | D.O.B. | DATE OF APPOINTMENT | DUTY STATUS (TIME OF INCIDENT) | SWORN | CIVILIAN |
|----------|---------------|---------------------|---|---|-----------------------------------|
| 1. M/W | [REDACTED] 60 | 10 JUL 95 | <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | <input checked="" type="checkbox"/> SWORN | <input type="checkbox"/> CIVILIAN |
| 2. M/W | [REDACTED] 68 | 22 NOV 93 | <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | <input checked="" type="checkbox"/> SWORN | <input type="checkbox"/> CIVILIAN |
| 3. | | | <input type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | <input type="checkbox"/> SWORN | <input type="checkbox"/> CIVILIAN |

| IF APPLIES, DATE ARRESTED/INDICTED | CHARGES | COURT BRANCH | DISPOSITION & DATE |
|------------------------------------|---------|--------------|--------------------|
| 1. | | | |
| 2. | | | |
| 3. | | | |

| NAME | ADDRESS** | CITY | STATE | TELEPHONE | SEX/RACE | D.O.B./AGE |
|------------|------------|-------------|-------|------------|----------|------------|
| [REDACTED] | [REDACTED] | Dakbrook II | | [REDACTED] | F/Unk | Unk/Unk |

| NAME | ADDRESS** | CITY | STATE | TELEPHONE | SEX/RACE | D.O.B./AGE |
|------------|-----------|------|-------|-----------|----------|------------------|
| [REDACTED] | Unknown | | | Unk | M/Blk | [REDACTED] 84/24 |

| NAME | ADDRESS** | CITY | STATE | TELEPHONE | SEX/RACE | D.O.B./AGE |
|------|-----------|------|-------|-----------|----------|------------|
| | | | | | | |

☐ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES

**IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS. PAX/BELL IN TELEPHONE BOX

NOTE: Complaint Log "Type" remains classified as Info - sworn affidavit NOT on file

The complainant [REDACTED] alleges that on 14 November 2005, at approximately 1030 hours, at 105 [REDACTED] S. Longwood Drive, the accused officers:

(1) Initiated and continued a malicious prosecution against the victim, [REDACTED]

| | | | | | | | | | | |
|---|---|--|---|---|--|--------------------------------------|---|-----------------|------------------|----|
| SUMMARY | <p>Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s). In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.</p> <p>The undersigned unsuccessfully attempted to contact the complainant, [REDACTED] regarding this investigation. The undersigned left a detailed message on [REDACTED] voice mail providing detailed information on how [REDACTED] may contact the undersigned (Attachment #8).</p> <p>A certified letter had previously been mailed to [REDACTED] which included detailed information on how [REDACTED] can contact the undersigned (Attachment #6).</p> <p>The undersigned received a United States Postal Service Domestic Return Receipt indicating that [REDACTED] was in receipt of the certified letter (Attachment #7).</p> <p>As of this reporting date [REDACTED] has refused to cooperate in the conduct of this investigation in that [REDACTED] has failed to contact the undersigned regarding this investigation. Furthermore, [REDACTED] has failed to sign a sworn affidavit as required by 50 ILCS 725/3.8, attesting to the truthfulness of his allegations (Attachment #3). Absent cooperation and no further objective evidence, this investigation cannot proceed and is "Closed No Conversion."</p> | | | | | | | | | |
| | | | | | | | | | | |
| ATTACH- MENTS | INVESTIGATIVE REPORTS- SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS: | INVESTIGATIVE REPORTS- SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS: | PHYSICAL EVIDENCE LIST ATTACHMENT NUMBERS: | TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE: 9 | | | | | | |
| FINDINGS - RECOMMENDATIONS | <p>Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation. Example: 1. Violation noted, no disciplinary action warranted 2 That the accused member be reprimanded 3. That the accused member be suspended for --- days (not to exceed 5 days).</p> <p>Accused Officer: Detective Brian P. FORBERG #21249, assigned to Unit 620 Allegation #1: No Affidavit Recommendation: No disciplinary action warranted</p> <p>Accused Officer: Detective Kevin R. EBERLE #20817, assigned to Unit 620 Allegation #1: No Affidavit Recommendation: No disciplinary action warranted</p> | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; padding: 5px;">DATE INITIATED (Date complaint was received for investigation)</td> <td style="width: 33%; padding: 5px;">DATE COMPLETED (Date of this report)</td> <td style="width: 34%; padding: 5px;">ELAPSED TIME (Total time expressed in days)</td> </tr> <tr> <td style="padding: 5px;">06 January 2009</td> <td style="padding: 5px;">11 February 2009</td> <td style="padding: 5px;">36</td> </tr> </table> | | | | | DATE INITIATED (Date complaint was received for investigation) | DATE COMPLETED (Date of this report) | ELAPSED TIME (Total time expressed in days) | 06 January 2009 | 11 February 2009 | 36 |
| DATE INITIATED (Date complaint was received for investigation) | DATE COMPLETED (Date of this report) | ELAPSED TIME (Total time expressed in days) | | | | | | | | |
| 06 January 2009 | 11 February 2009 | 36 | | | | | | | | |
| Investigator will initiate the Command Channel Review form by completing the Investigator's Section. | | | INVESTIGATOR'S SIGNATURE [REDACTED] | | | | | | | |

Attachments

| No. | Type | Related Person | No. of Pages | Narrative | Original in File | Entered By | Entered Date/Time | Status | Approved Content? | Approved Inclusion? | Comments |
|-----|--|----------------|--------------|---|------------------|-----------------------|-------------------|---------------------------|-------------------|---------------------|----------|
| 1 | FACE SHEET | N/A | | | | MARSHALL, DAVID | 30-DEC-2008 12:40 | | [EDIT] | | |
| 2 | CONFLICT CERTIFICATION | N/A | | | | TALIAFERRO, CHRISTOPH | 12-JAN-2009 15:52 | | [EDIT] | | |
| 3 | SWORN AFFIDAVIT FROM COMPLAINANT | N/A | 1 | Refused | YES | TALIAFERRO, CHRISTOPH | 11-FEB-2009 07:54 | APPROVED | [EDIT] | YES | |
| 4 | COURT DOCUMENTS (E.G., CIVIL COMPLAINTS, BOND SLIPS) | N/A | 1 | | NO | MARSHALL, DAVID | 30-DEC-2008 12:43 | APPROVED | [EDIT] | YES | |
| 5 | ARREST REPORT | N/A | 2 | | NO | DEL RIVERO, MINERVA | 31-DEC-2008 08:10 | APPROVED | [EDIT] | YES | |
| 6 | ATTEMPT TO CONTACT | N/A | 2 | | YES | TALIAFERRO, CHRISTOPH | 12-JAN-2009 15:54 | APPROVED | [EDIT] | YES | |
| 7 | ATTEMPT TO CONTACT | N/A | 1 | Certified Mail/Domestic Return Receipts | YES | TALIAFERRO, CHRISTOPH | 11-FEB-2009 08:01 | APPROVED | [EDIT] | YES | |
| 8 | ATTEMPT TO CONTACT | N/A | 1 | | YES | TALIAFERRO, CHRISTOPH | 11-FEB-2009 08:02 | PENDING SUPERVISOR REVIEW | [EDIT] | | |
| 9 | COURT DOCUMENTS (E.G., CIVIL COMPLAINTS, BOND SLIPS) | N/A | 20 | Civil Suit | YES | TALIAFERRO, CHRISTOPH | 11-FEB-2009 08:03 | APPROVED | [EDIT] | YES | |

Bureau of Professionals Standards
Internal Affairs Division


05 Nov 08
CL# 1020263

TO: Commanding Officer
General Investigation Section

FROM: P.A. Linda Salustro
General Investigation Section


SUBJECT: Approval of Complaint Log Number 1020263

The attached Complaint Log Investigation has been completed and
submitted for your approval.


P.A. Linda Salustro #3944
General Investigation Section

Approved:


Supervising Sergeant


Commanding Officer
General Investigation Section

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

COMPLAINT LOG NO.
1020263

TYPE
INFO

DATE OF REPORT (Day-Mo.-Yr.)
5 Nov 08

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION. SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED. SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED

TO: ☐ CHIEF ADMINISTRATOR,
INDEPENDENT POLICE REVIEW AUTHORITY

☒ CHIEF,
INTERNAL AFFAIRS DIVISION

| | | | | | |
|--|--------------|------------------|----------------------------|---------------------|---------------|
| FROM - INVESTIGATOR'S NAME Linda SALUSTRO | RANK P.A. | STAR NO. 3944 | EMPLOYEE NO. [REDACTED] | UNIT ASSIGN. 121 | UNIT DETAILED |
|--|--------------|------------------|----------------------------|---------------------|---------------|

REFERENCE NOS. (LIST ALL RELATED C.L., C. B., I.R., INVENTORY NOS., ETC., PERTINENT TO THIS INVESTIGATION)

RD # [REDACTED]

| | | |
|--|--|-------------------------|
| ADDRESS OF INCIDENT 727 E 111th St. Chicago, (5th District) | DATE OF INCIDENT - TIME 03 Sep 06 23:05 | BEAT OF INCIDENT 531 |
|--|--|-------------------------|

| NAME | RANK | STAR NO. | EMPLOYEE NO. | UNIT ASSIGN. | UNIT DETAILED |
|------------------|------|----------|--------------|--------------|---------------|
| 1. Brian FORBERG | Det | 21249 | [REDACTED] | 620 | |
| 2. Kevin EBERLE | Det | 20817 | [REDACTED] | 620 | |
| 3. | | | | | |

ACCUSED

| SEX/RACE | D.O.B. | DATE OF APPOINTMENT | DUTY STATUS (TIME OF INCIDENT) | SWORN | CIVILIAN |
|----------|-----------------|---------------------|---|---|-----------------------------------|
| 1. M/W | [REDACTED] 1960 | 10 Jul 1995 | <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | <input checked="" type="checkbox"/> SWORN | <input type="checkbox"/> CIVILIAN |
| 2. M/W | [REDACTED] 1968 | 22 Nov 1993 | <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | <input checked="" type="checkbox"/> SWORN | <input type="checkbox"/> CIVILIAN |
| 3. | | | <input type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | <input type="checkbox"/> SWORN | <input type="checkbox"/> CIVILIAN |

| IF APPLIES, DATE ARRESTED/INDICTED | CHARGES | COURT BRANCH | DISPOSITION & DATE |
|------------------------------------|---------|--------------|--------------------|
| 1. | | | |
| 2. | | | |
| 3. | | | |

| NAME | ADDRESS** | CITY | STATE | TELEPHONE | SEX/RACE | D.O.B./AGE |
|------------|------------|------------------|-------|------------|----------|----------------|
| [REDACTED] | [REDACTED] | Chicago II 60615 | | [REDACTED] | M/Unk | unk |
| | | | | | | |
| NAME | ADDRESS** | CITY | STATE | TELEPHONE | SEX/RACE | D.O.B./AGE |
| [REDACTED] | [REDACTED] | Chicago II 60649 | | unk | M/B | [REDACTED] 990 |
| [REDACTED] | [REDACTED] | Chicago II 60637 | | unk | F/B | [REDACTED] 34 |

☐ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

**IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS. PAX/BELL IN TELEPHONE BOX.

NOTE: Complaint "Type" remains classified as INFO - Sworn Affidavit is Not on file.

ALLEGATIONS

The complainant, [REDACTED] alleges that on the above date, time and location the named accused detained [REDACTED] without legal justification.

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s). In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

Civil Suit [REDACTED]

Upon receipt for investigation the undersigned called the complainant [REDACTED] and left a message requesting a return call. A Certified Letter, Article No. [REDACTED] was sent and received at the address supplied by the complainant. As of this date the complainant has not been interviewed and a Sworn Affidavit is not on file, therefore it is recommended this case be closed no conversion.

SUMMARY

ATTACH-
MENTS

INVESTIGATIVE REPORTS-
SUPPORTING ALLEGATION
LIST ATTACHMENT NUMBERS:

INVESTIGATIVE REPORTS-
SUPPORTING ACCUSED MEMBER(S)
LIST ATTACHMENT NUMBERS:

PHYSICAL EVIDENCE LIST
ATTACHMENT NUMBERS:

TOTAL NUMBER OF ATTACHMENTS
SUBMITTED WITH THIS FILE:

6

FINDINGS - RECOMMENDATIONS

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation. Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for --- days (not to exceed 5 days).

FINDING:

Accused: # 1. Det. Brian Forberg

Allegation: No Affidavit

2. Det. Kevin Eberle

No Affidavit

DATE INITIATED (Date complaint was received for investigation)

25 Sep 08

DATE COMPLETED (Date of this report)

05 Nov 08

ELAPSED TIME (Total time expressed in days)

41 Days

Investigator will initiate the Command Channel Review form by
completing the Investigator's Section

INVESTIGATOR'S SIGNATURE

Signature required by C.A. 1.0, 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.8, 1.9, 2.0, 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, 2.9, 3.0, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 4.0, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 5.0, 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 6.0, 6.1, 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, 6.8, 6.9, 7.0, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 7.8, 7.9, 8.0, 8.1, 8.2, 8.3, 8.4, 8.5, 8.6, 8.7, 8.8, 8.9, 9.0, 9.1, 9.2, 9.3, 9.4, 9.5, 9.6, 9.7, 9.8, 9.9, 10.0, 10.1, 10.2, 10.3, 10.4, 10.5, 10.6, 10.7, 10.8, 10.9, 11.0, 11.1, 11.2, 11.3, 11.4, 11.5, 11.6, 11.7, 11.8, 11.9, 12.0, 12.1, 12.2, 12.3, 12.4, 12.5, 12.6, 12.7, 12.8, 12.9, 13.0, 13.1, 13.2, 13.3, 13.4, 13.5, 13.6, 13.7, 13.8, 13.9, 14.0, 14.1, 14.2, 14.3, 14.4, 14.5, 14.6, 14.7, 14.8, 14.9, 15.0, 15.1, 15.2, 15.3, 15.4, 15.5, 15.6, 15.7, 15.8, 15.9, 16.0, 16.1, 16.2, 16.3, 16.4, 16.5, 16.6, 16.7, 16.8, 16.9, 17.0, 17.1, 17.2, 17.3, 17.4, 17.5, 17.6, 17.7, 17.8, 17.9, 18.0, 18.1, 18.2, 18.3, 18.4, 18.5, 18.6, 18.7, 18.8, 18.9, 19.0, 19.1, 19.2, 19.3, 19.4, 19.5, 19.6, 19.7, 19.8, 19.9, 20.0, 20.1, 20.2, 20.3, 20.4, 20.5, 20.6, 20.7, 20.8, 20.9, 21.0, 21.1, 21.2, 21.3, 21.4, 21.5, 21.6, 21.7, 21.8, 21.9, 22.0, 22.1, 22.2, 22.3, 22.4, 22.5, 22.6, 22.7, 22.8, 22.9, 23.0, 23.1, 23.2, 23.3, 23.4, 23.5, 23.6, 23.7, 23.8, 23.9, 24.0, 24.1, 24.2, 24.3, 24.4, 24.5, 24.6, 24.7, 24.8, 24.9, 25.0, 25.1, 25.2, 25.3, 25.4, 25.5, 25.6, 25.7, 25.8, 25.9, 26.0, 26.1, 26.2, 26.3, 26.4, 26.5, 26.6, 26.7, 26.8, 26.9, 27.0, 27.1, 27.2, 27.3, 27.4, 27.5, 27.6, 27.7, 27.8, 27.9, 28.0, 28.1, 28.2, 28.3, 28.4, 28.5, 28.6, 28.7, 28.8, 28.9, 29.0, 29.1, 29.2, 29.3, 29.4, 29.5, 29.6, 29.7, 29.8, 29.9, 30.0, 30.1, 30.2, 30.3, 30.4, 30.5, 30.6, 30.7, 30.8, 30.9, 31.0, 31.1, 31.2, 31.3, 31.4, 31.5, 31.6, 31.7, 31.8, 31.9, 32.0, 32.1, 32.2, 32.3, 32.4, 32.5, 32.6, 32.7, 32.8, 32.9, 33.0, 33.1, 33.2, 33.3, 33.4, 33.5, 33.6, 33.7, 33.8, 33.9, 34.0, 34.1, 34.2, 34.3, 34.4, 34.5, 34.6, 34.7, 34.8, 34.9, 35.0, 35.1, 35.2, 35.3, 35.4, 35.5, 35.6, 35.7, 35.8, 35.9, 36.0, 36.1, 36.2, 36.3, 36.4, 36.5, 36.6, 36.7, 36.8, 36.9, 37.0, 37.1, 37.2, 37.3, 37.4, 37.5, 37.6, 37.7, 37.8, 37.9, 38.0, 38.1, 38.2, 38.3, 38.4, 38.5, 38.6, 38.7, 38.8, 38.9, 39.0, 39.1, 39.2, 39.3, 39.4, 39.5, 39.6, 39.7, 39.8, 39.9, 40.0, 40.1, 40.2, 40.3, 40.4, 40.5, 40.6, 40.7, 40.8, 40.9, 41.0, 41.1, 41.2, 41.3, 41.4, 41.5, 41.6, 41.7, 41.8, 41.9, 42.0, 42.1, 42.2, 42.3, 42.4, 42.5, 42.6, 42.7, 42.8, 42.9, 43.0, 43.1, 43.2, 43.3, 43.4, 43.5, 43.6, 43.7, 43.8, 43.9, 44.0, 44.1, 44.2, 44.3, 44.4, 44.5, 44.6, 44.7, 44.8, 44.9, 45.0, 45.1, 45.2, 45.3, 45.4, 45.5, 45.6, 45.7, 45.8, 45.9, 46.0, 46.1, 46.2, 46.3, 46.4, 46.5, 46.6, 46.7, 46.8, 46.9, 47.0, 47.1, 47.2, 47.3, 47.4, 47.5, 47.6, 47.7, 47.8, 47.9, 48.0, 48.1, 48.2, 48.3, 48.4, 48.5, 48.6, 48.7, 48.8, 48.9, 49.0, 49.1, 49.2, 49.3, 49.4, 49.5, 49.6, 49.7, 49.8, 49.9, 50.0, 50.1, 50.2, 50.3, 50.4, 50.5, 50.6, 50.7, 50.8, 50.9, 51.0, 51.1, 51.2, 51.3, 51.4, 51.5, 51.6, 51.7, 51.8, 51.9, 52.0, 52.1, 52.2, 52.3, 52.4, 52.5, 52.6, 52.7, 52.8, 52.9, 53.0, 53.1, 53.2, 53.3, 53.4, 53.5, 53.6, 53.7, 53.8, 53.9, 54.0, 54.1, 54.2, 54.3, 54.4, 54.5, 54.6, 54.7, 54.8, 54.9, 55.0, 55.1, 55.2, 55.3, 55.4, 55.5, 55.6, 55.7, 55.8, 55.9, 56.0, 56.1, 56.2, 56.3, 56.4, 56.5, 56.6, 56.7, 56.8, 56.9, 57.0, 57.1, 57.2, 57.3, 57.4, 57.5, 57.6, 57.7, 57.8, 57.9, 58.0, 58.1, 58.2, 58.3, 58.4, 58.5, 58.6, 58.7, 58.8, 58.9, 59.0, 59.1, 59.2, 59.3, 59.4, 59.5, 59.6, 59.7, 59.8, 59.9, 60.0, 60.1, 60.2, 60.3, 60.4, 60.5, 60.6, 60.7, 60.8, 60.9, 61.0, 61.1, 61.2, 61.3, 61.4, 61.5, 61.6, 61.7, 61.8, 61.9, 62.0, 62.1, 62.2, 62.3, 62.4, 62.5, 62.6, 62.7, 62.8, 62.9, 63.0, 63.1, 63.2, 63.3, 63.4, 63.5, 63.6, 63.7, 63.8, 63.9, 64.0, 64.1, 64.2, 64.3, 64.4, 64.5, 64.6, 64.7, 64.8, 64.9, 65.0, 65.1, 65.2, 65.3, 65.4, 65.5, 65.6, 65.7, 65.8, 65.9, 66.0, 66.1, 66.2, 66.3, 66.4, 66.5, 66.6, 66.7, 66.8, 66.9, 67.0, 67.1, 67.2, 67.3, 67.4, 67.5, 67.6, 67.7, 67.8, 67.9, 68.0, 68.1, 68.2, 68.3, 68.4, 68.5, 68.6, 68.7, 68.8, 68.9, 69.0, 69.1, 69.2, 69.3, 69.4, 69.5, 69.6, 69.7, 69.8, 69.9, 70.0, 70.1, 70.2, 70.3, 70.4, 70.5, 70.6, 70.7, 70.8, 70.9, 71.0, 71.1, 71.2, 71.3, 71.4, 71.5, 71.6, 71.7, 71.8, 71.9, 72.0, 72.1, 72.2, 72.3, 72.4, 72.5, 72.6, 72.7, 72.8, 72.9, 73.0, 73.1, 73.2, 73.3, 73.4, 73.5, 73.6, 73.7, 73.8, 73.9, 74.0, 74.1, 74.2, 74.3, 74.4, 74.5, 74.6, 74.7, 74.8, 74.9, 75.0, 75.1, 75.2, 75.3, 75.4, 75.5, 75.6, 75.7, 75.8, 75.9, 76.0, 76.1, 76.2, 76.3, 76.4, 76.5, 76.6, 76.7, 76.8, 76.9, 77.0, 77.1, 77.2, 77.3, 77.4, 77.5, 77.6, 77.7, 77.8, 77.9, 78.0, 78.1, 78.2, 78.3, 78.4, 78.5, 78.6, 78.7, 78.8, 78.9, 79.0, 79.1, 79.2, 79.3, 79.4, 79.5, 79.6, 79.7, 79.8, 79.9, 80.0, 80.1, 80.2, 80.3, 80.4, 80.5, 80.6, 80.7, 80.8, 80.9, 81.0, 81.1, 81.2, 81.3, 81.4, 81.5, 81.6, 81.7, 81.8, 81.9, 82.0, 82.1, 82.2, 82.3, 82.4, 82.5, 82.6, 82.7, 82.8, 82.9, 83.0, 83.1, 83.2, 83.3, 83.4, 83.5, 83.6, 83.7, 83.8, 83.9, 84.0, 84.1, 84.2, 84.3, 84.4, 84.5, 84.6, 84.7, 84.8, 84.9, 85.0, 85.1, 85.2, 85.3, 85.4, 85.5, 85.6, 85.7, 85.8, 85.9, 86.0, 86.1, 86.2, 86.3, 86.4, 86.5, 86.6, 86.7, 86.8, 86.9, 87.0, 87.1, 87.2, 87.3, 87.4, 87.5, 87.6, 87.7, 87.8, 87.9, 88.0, 88.1, 88.2, 88.3, 88.4, 88.5, 88.6, 88.7, 88.8, 88.9, 89.0, 89.1, 89.2, 89.3, 89.4, 89.5, 89.6, 89.7, 89.8, 89.9, 90.0, 90.1, 90.2, 90.3, 90.4, 90.5, 90.6, 90.7, 90.8, 90.9, 91.0, 91.1, 91.2, 91.3, 91.4, 91.5, 91.6, 91.7, 91.8, 91.9, 92.0, 92.1, 92.2, 92.3, 92.4, 92.5, 92.6, 92.7, 92.8, 92.9, 93.0, 93.1, 93.2, 93.3, 93.4, 93.5, 93.6, 93.7, 93.8, 93.9, 94.0, 94.1, 94.2, 94.3, 94.4, 94.5, 94.6, 94.7, 94.8, 94.9, 95.0, 95.1, 95.2, 95.3, 95.4, 95.5, 95.6, 95.7, 95.8, 95.9, 96.0, 96.1, 96.2, 96.3, 96.4, 96.5, 96.6, 96.7, 96.8, 96.9, 97.0, 97.1, 97.2, 97.3, 97.4, 97.5, 97.6, 97.7, 97.8, 97.9, 98.0, 98.1, 98.2, 98.3, 98.4, 98.5, 98.6, 98.7, 98.8, 98.9, 99.0, 99.1, 99.2, 99.3, 99.4, 99.5, 99.6, 99.7, 99.8, 99.9, 100.0, 100.1, 100.2, 100.3, 100.4, 100.5, 100.6, 100.7, 100.8, 100.9, 101.0, 101.1, 101.2, 101.3, 101.4, 101.5, 101.6, 101.7, 101.8, 101.9, 102.0, 102.1, 102.2, 102.3, 102.4, 102.5, 102.6, 102.7, 102.8, 102.9, 103.0, 103.1, 103.2, 103.3, 103.4, 103.5, 103.6, 103.7, 103.8, 103.9, 104.0, 104.1, 104.2, 104.3, 104.4, 104.5, 104.6, 104.7, 104.8, 104.9, 105.0, 105.1, 105.2, 105.3, 105.4, 105.5, 105.6, 105.7, 105.8, 105.9, 106.0, 106.1, 106.2, 106.3, 106.4, 106.5, 106.6, 106.7, 106.8, 106.9, 107.0, 107.1, 107.2, 107.3, 107.4, 107.5, 107.6, 107.7, 107.8, 107.9, 108.0, 108.1, 108.2, 108.3, 108.4, 108.5, 108.6, 108.7, 108.8, 108.9, 109.0, 109.1, 109.2, 109.3, 109.4, 109.5, 109.6, 109.7, 109.8, 109.9, 110.0, 110.1, 110.2, 110.3, 110.4, 110.5, 110.6, 110.7, 110.8, 110.9, 111.0, 111.1, 111.2, 111.3, 111.4, 111.5, 111.6, 111.7, 111.8, 111.9, 112.0, 112.1, 112.2, 112.3, 112.4, 112.5, 112.6, 112.7, 112.8, 112.9, 113.0, 113.1, 113.2, 113.3, 113.4, 113.5, 113.6, 113.7, 113.8, 113.9, 114.0, 114.1, 114.2, 114.3, 114.4, 114.5, 114.6, 114.7, 114.8, 114.9, 115.0, 115.1, 115.2, 115.3, 115.4, 115.5, 115.6, 115.7, 115.8, 115.9, 116.0, 116.1, 116.2, 116.3, 116.4, 116.5, 116.6, 116.7, 116.8, 116.9, 117.0, 117.1, 117.2, 117.3, 117.4, 117.5, 117.6, 117.7, 117.8, 117.9, 118.0, 118.1, 118.2, 118.3, 118.4, 118.5, 118.6, 118.7, 118.8, 118.9, 119.0, 119.1, 119.2, 119.3, 119.4, 119.5, 119.6, 119.7, 119.8, 119.9, 120.0, 120.1, 120.2, 120.3, 120.4, 120.5, 120.6, 120.7, 120.8, 120.9, 121.0, 121.1, 121.2, 121.3, 121.4, 121.5, 121.6, 121.7, 121.8, 121.9, 122.0, 122.1, 122.2, 122.3, 122.4, 122.5, 122.6, 122.7, 122.8, 122.9, 123.0, 123.1, 123.2, 123.3, 123.4, 123.5, 123.6, 123.7, 123.8, 123.9, 124.0, 124.1, 124.2, 124.3, 124.4, 124.5, 124.6, 124.7, 124.8, 124.9, 125.0, 125.1, 125.2, 125.3, 125.4, 125.5, 125.6, 125.7, 125.8, 125.9, 126.0, 126.1, 126.2, 126.3, 126.4, 126.5, 126.6, 126.7, 126.8, 126.9, 127.0, 127.1, 127.2, 127.3, 127.4, 127.5, 127.6, 127.7, 127.8, 127.9, 128.0, 128.1, 128.2, 128.3, 128.4, 128.5, 128.6, 128.7, 128.8, 128.9, 129.0, 129.1, 129.2, 129.3, 129.4, 129.5, 129.6, 129.7, 129.8, 129.9, 130.0, 130.1, 130.2, 130.3, 130.4, 130.5, 130.6, 130.7, 130.8, 130.9, 131.0, 131.1, 131.2, 131.3, 131.4, 131.5, 131.6, 131.7, 131.8, 131.9, 132.0, 132.1, 132.2, 132.3, 132.4, 132.5, 132.6, 132.7, 132.8, 132.9, 133.0, 133.1, 133.2, 133.3, 133.4, 133.5, 133.6, 133.7, 133.8, 133.9, 134.0, 134.1, 134.2, 134.3, 134.4, 134.5, 134.6, 134.7, 134.8, 134.9, 135.0, 135.1, 135.2, 135.3, 135.4, 135.5, 135.6, 135.7, 135.8, 135.9, 136.0, 136.1, 136.2, 136.3, 136.4, 136.5, 136.6, 136.7, 136.8, 136.9, 137.0, 137.1, 137.2, 137.3, 137.4, 137.5, 137.6, 137.7, 137.8, 137.9, 138.0, 138.1, 138.2, 138.3, 138.4, 138.5, 138.6, 138.7, 138.8, 138.9, 139.0, 139.1, 139.2, 139.3, 139.4, 139.5, 139.6, 139.7, 139.8, 139.9, 140.0, 140.1, 140.2, 140.3, 140.4, 140.5, 140.6, 140.7, 140.8, 140.9, 141.0, 141.1, 141.2, 141.3, 141.4, 141.5, 141.6, 141.7, 141.8, 141.9, 142.0, 142.1, 142.2, 142.3, 142.4, 142.5, 142.6, 142.7, 142.8, 142.9, 143.0, 143.1, 143.2, 143.3, 143.4, 143.5, 143.6, 143.7, 143.8, 143.9, 144.0, 144.1, 144.2, 144.3, 144.4, 144.5, 144.6, 144.7, 144.8, 144.9, 145.0, 145.1, 145.2, 145.3, 145.4, 145.5, 145.6, 145.7, 145.8, 145.9, 146.0, 146.1, 146.2, 146.3, 146.4, 146.5, 146.6, 146.7, 146.8, 146.9, 147.0, 147.1, 147.2, 147.3, 147.4, 147.5, 147.6, 147.7, 147.8, 147.9, 148.0, 148.1, 148.2, 148.3, 148.4, 148.5, 148.6, 148.7, 148.8, 148.9, 149.0, 149.1, 149.2, 149.3, 149.4, 149.5, 149.6, 149.7, 149.8, 149.9, 150.0, 150.1, 150.2, 150.3, 150.4, 150.5, 150.6, 150.7, 150.8, 150.9, 151.0, 151.1, 151.2, 151.3, 151.4, 151.5, 151.6, 151.7, 151.8, 151.9, 152.0, 152.1, 152.2, 152.3, 152.4, 152.5, 152.6, 152.7, 152.8, 152.9, 153.0, 153.1, 153.2, 153.3, 153.4, 153.5, 153.6, 153.7, 153.8, 153.9, 154.0, 154.1, 154.2, 154.3, 154.4, 154.5, 154.6, 154.7, 154.8, 154.9, 155.0, 155.1, 155.2, 155.3, 155.4, 155.5, 155.6, 155.7, 155.8, 155.9, 156.0, 156.1, 156.2, 156.3, 156.4, 156.5, 156.6, 156.7, 156.8, 156.9, 157.0, 157.1, 157.2, 157.3, 157.4, 157.5, 157.6, 157.7, 157.8, 157.9, 158.0, 158.1, 158.2, 158.3, 158.4, 158.5, 158.6, 158.7, 158.8, 158.9, 159.0, 159.1, 159.2, 159.3, 159.4, 159.5, 159.6, 159.7, 159.8, 159.9, 160.0, 160.1, 160.2, 160.3, 160.4, 160.5, 160.6, 160.7, 160.8, 160.9, 161.0, 161.1, 161.2, 161.3, 161.4, 161.5, 161.6, 161.7, 161.8, 161.9, 162.0, 162.1, 162.2, 162.3, 162.4, 162.5, 162.6, 162.7, 162.8, 162.9, 163.0, 163.1, 163.2, 163.3, 163.4, 163.5, 163.6, 163.7, 163.8, 163.9, 164.0, 164.1, 164.2, 164.3, 164.4, 164.5, 164.6, 164.7, 164.8, 164.9, 165.0, 165.1, 165.2, 165.3, 165.4, 165.5, 165.6, 165.7, 165.8, 165.9, 166.0, 166.1, 166.2, 166.3, 166.4, 166.5, 166.6, 166.7, 166.8, 166.9, 167.0, 167.1, 167.2, 167.3, 167.4, 167.5, 167.6, 167.7, 167.8, 167.9, 168.0, 168.1, 168.2, 168.3, 168.4, 168.5, 168.6, 168.7, 168.8, 168.9, 169.0, 169.1, 169.2, 169.3, 169.4, 169.5, 169.6, 169.7, 169.8, 169.9, 170.0, 170.1, 170.2, 170.3, 170.4, 170.5, 170.6, 170.7, 170.8, 170.9, 171.0, 171.1, 171.2, 171.3, 171.4, 171.5, 171.6, 171.7, 171.8, 171.9, 172.0, 172.1, 172.2, 172.3, 172.4, 172.5, 172.6, 172.7, 172.8, 172.9, 173.0, 173.1, 173.2, 173.3, 173.4, 173.5, 173.6, 173.7, 173.8, 173.9, 174.0, 174.1, 174.2, 174.3, 174.4, 174.5, 174.6, 174.7,

Internal Affairs Division
General Investigation Section

05 Nov 08
CL # 1020263

Attachments

| No. | Type | No. of Pages |
|-----|----------------------------------|------------------------------|
| 1 | FACE SHEET | |
| 2 | CONFLICT CERTIFICATION | |
| 3 | SWORN AFFIDAVIT FROM COMPLAINANT | 1 Non: Cooperation |
| 4 | REPORT (OTHER) | 2 Certified Letter & Receipt |
| 5 | REPORT (OTHER) | 20 Civil Suit [REDACTED] |
| 6 | ARREST REPORT | 8 [REDACTED] |

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

COMPLAINT LOG NO.

1069865

TYPE

INFO

DATE OF REPORT (Day-Mo.-Yr)

08 September 2014

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION. SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED. SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: ☐ CHIEF ADMINISTRATOR,
INDEPENDENT POLICE REVIEW AUTHORITY

☒ CHIEF,
BUREAU OF INTERNAL AFFAIRS

FROM -INVESTIGATOR'S NAME

Najma Fowler

RANK
Sgt.STAR NO.
2296

EMPLOYEE NO.

UNIT ASSIGN.
005UNIT DETAILED
412

REFERENCE NOS. (LIST ALL RELATED C.L., C. B., I.R., INVENTORY NOS., ETC., PERTINENT TO THIS INVESTIGATION)

CL#109865

ADDRESS OF INCIDENT

95 S. Perry

DATE OF INCIDENT -TIME

03 May 2014

1521 Hrs

BEAT OF INCIDENT

0511

| ACCUSED | NAME | | RANK | STAR NO. | EMPLOYEE NO. | UNIT ASSIGN. | UNIT DETAILED |
|------------------------------------|------------------------|--------|---------------------|---|---|--------------------|---------------|
| | 1. Brian P. Forberg | | Sgt. | 1373 | | 005 | 212 |
| | 2. Bernadette T. Kelly | | PO | 7186 | | 005 | DNA |
| | 3. James M. Delisle | | PO | 16849 | | 005 | DNA |
| | SEX/RACE | D.O.B. | DATE OF APPOINTMENT | DUTY STATUS (TIME OF INCIDENT) | | | |
| 1. M/W | | 1960 | 10 July 1995 | <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | <input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN | | |
| 2. F/W | | 1982 | 17 Oct 2011 | <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | <input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN | | |
| 3. M/W | | 1965 | 21 June 1999 | <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | <input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN | | |
| IF APPLIES, DATE ARRESTED/INDICTED | | | CHARGES | | COURT BRANCH | DISPOSITION & DATE | |
| 1. DNA | | | | | | | |
| 2. | | | | | | | |
| 3. | | | | | | | |

| COMPLAINANT | NAME | ADDRESS** | CITY | STATE | TELEPHONE | SEX/RACE | D.O.B./AGE |
|-------------|------|-----------|------|-------------|-----------|----------|------------|
| | | | | Park Forest | IL | | F/B |

| VICTIMS | NAME | ADDRESS** | CITY | STATE | TELEPHONE | SEX/RACE | D.O.B./AGE |
|---------|------|-----------|------|-------|-----------|----------|------------|
| | | DNA | | | | | |

| WITNESSES | NAME | ADDRESS** | CITY | STATE | TELEPHONE | SEX/RACE | D.O.B./AGE |
|-----------|------|-----------|------|-------|-----------|----------|------------|
| | | DNA | | | | | |

☒ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES

*IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX

| ALLEGATIONS | The complainant alleges in a letter to Mayor Rahm Emanuel's Office (Att# 14 and #15) that on 03 May 2014 at 95 S. Perry, Chicago, IL, 60628 at 1521 hours, the accused officers: | |
|-------------|--|--|
| | Allegation #1 | Refused to provide her with a report for a subject with a history of mental illness. |
| | Allegation #2 | Refused to transport a subject with a history of mental illness to the hospital for a mental health assessment after she threatened her. |

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s). In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

On 03 July 2014, Reporting Sergeant (R/S) received C L. NO. 1069865 for investigation (Attachment #3 and #4)

On 08 July 2014, R/S mailed Chicago Police Department Complainant Letter to [REDACTED] at [REDACTED] Park Forest, IL 60466 (address listed on Face Sheet) via U. S. Postal Service certified mail and was received on 10 July 2014 per USPS.com (Attachment #6 and #7).

On 11 July 2014, R/S received a message from the 005th District Desk that complainant, [REDACTED] had called and left telephone number [REDACTED] R/S spoke with victim on 11 July 2014 at 2200 hrs via Chicago Police Department telephone and agreed to meet on Tuesday, 15 July 2014 at 1700 hrs. at the Chicago Police Department, 005th District, located at 727 E. 111th Street.

On 15 July 2014 at 1700 hrs, R/S met with the victim at the Chicago Police Department located at 727 E. 111th st. R/S interviewed the complainant at which time the complainant did not want to pursue the complaint. (Attachment #9 and #10).

On 23 August 2014, R/S identified accused officers (Attachment #5, #11, #12, and #13).

SUMMARY

| ATTACH- MENTS | INVESTIGATIVE REPORTS- SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS: | INVESTIGATIVE REPORTS- SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS: | PHYSICAL EVIDENCE LIST ATTACHMENT NUMBERS: | TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE: |
|------------------|---|--|---|--|
| | 0 | 5,11, 12, 13 | 0 | 16 |

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation. Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for --- days (not to exceed 5 days).

FINDINGS - RECOMMENDATIONS

Sgt. Brian P. Forberg #1373
Allegations #1 and #2
Finding - Unfounded / No Affidavit Signed
Recommendations - No Disciplinary Action

P.O. Harvey Seals #13949
Allegations #1 and #2
Finding - Unfounded / No Affidavit Signed
Recommendations - No Disciplinary Action

P.O. Bernadette T. Kelly #7186
Allegations #1 and #2
Finding - Unfounded / No Affidavit Signed
Recommendations - No Disciplinary Action

P.O. Timothy E. Davis #8688
Allegations #1 and #2
Finding - Unfounded / No Affidavit Signed
Recommendations - No Disciplinary Action

P.O. James M. Delisle #16849
Allegations #1 and #2
Finding - Unfounded / No Affidavit Signed
Recommendations - No Disciplinary Action

| | | |
|--|--------------------------------------|---|
| DATE INITIATED (Date complaint was received for investigation) | DATE COMPLETED (Date of this report) | ELAPSED TIME (Total time expressed in days) |
| 03 July 2014 | 08 September 2014 | 65 |
| Investigator will initiate the Command Channel Review form by completing the Investigator's Section. | INV [REDACTED] | |

**SUMMARY REPORT DIGEST
ATTACHED SHEET**

C.L. NO. 1069865

Accused:

| | NAME | RANK | STAR # | EMPLOYEE # | UNIT ASSIGN. | UNIT DETAILED |
|-----|---------------|------|--------|------------|--------------|---------------|
| #4) | Harvey Seals | PO | 13949 | [REDACTED] | 005 | DNA |
| #5) | Timothy Davis | PO | 8688 | [REDACTED] | 005 | DNA |

| | SEX/RACE | D.O. B. | DATE OF APPOINT | DUTY STATUS | SWORN |
|-----|----------|-----------------|-----------------|-------------|-------|
| #4) | M/BLK | [REDACTED] 1972 | 16 April 2010 | On Duty | Yes |
| #5) | M/BLK | [REDACTED] 1982 | 18 Dec 2006 | On Duty | Yes |

ATTACHMENTS

LOG #1069865

1. Face Sheet
2. Sworn Affidavit – [REDACTED]
3. To-From Report from Sgt. Fowler #2296 – Assignment of Investigation
4. Notification RE: Automated Complaint - Sgt. Najma Fowler #2296- Assigned Investigator
5. Notification RE: Automated Complaint - Sgt. Brian Forberg #1373- Identified Accused
- 5A. Notification RE: Automated Complaint - P.O. Bernadette Kelly #7186 - Identified Accused
- 5B. Notification RE: Automated Complaint - P.O. James Delisle #16849- Identified Accused
- 5C. Notification RE: Automated Complaint - P.O. Harvey Seals #13949 - Identified Accused
- 5D. Notification RE: Automated Complaint – P.O. Timothy Davis #8688 - Identified Accused
6. To-From Report – Attempt to Contact [REDACTED] - Certified Letter Sent
7. Complainant Letter to [REDACTED] – Dated 06 July 2014
- 7A. Copy USPS Certified Mail Receipt and USPS Domestic Return Receipt – [REDACTED]
- 7B. Copy USPS.com Certified Mail Tracking – [REDACTED]
8. To-From Report – Phone Contact with [REDACTED] on 11 Jul 2014
9. Complaint Register Investigation Voluntary Termination signed by [REDACTED]
10. To-From Report – Interview with [REDACTED] on 15 Jul 2014
11. PCAD printout Event # [REDACTED] PCAD printout Event # [REDACTED]
12. 005th District Third Watch Schedule for 03 May 2014
13. 005th District Third Watch Attendance and Assignment Sheet for 03 May 2014
14. Intra Departmental Memo Superintendents Memo #14-772
15. Letter to Office of Mayor Emanuel from [REDACTED]
16. Request for Time Extension – Dated 02 August 2014

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

COMPLAINT LOG NO.
1061745

TYPE
C.R.

DATE OF REPORT (Day-Mo.-Yr.)
25 Nov 2013

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION. SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED. SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: ☐ CHIEF ADMINISTRATOR,
INDEPENDENT POLICE REVIEW AUTHORITY ☒ CHIEF,
BUREAU OF INTERNAL AFFAIRS

FROM - INVESTIGATOR'S NAME
David Wright

RANK
Sgt.

STAR NO.
1336

EMPLOYEE NO.
[REDACTED]

UNIT ASSIGN.
620

UNIT DETAILED

REFERENCE NOS. (LIST ALL RELATED C.L., C. B., I.R., INVENTORY NOS., ETC., PERTINENT TO THIS INVESTIGATION)

ADDRESS OF INCIDENT
20 [REDACTED] W. 103rd St.

DATE OF INCIDENT -TIME
06 Nov 2012

BEAT OF INCIDENT
2214

| NAME | | RANK | STAR NO. | EMPLOYEE NO. | UNIT ASSIGN. | UNIT DETAILED |
|-------------------|--|------|----------|--------------|--------------|---------------|
| 1. FORBERG, BRIAN | | Det. | 21249 | [REDACTED] | 620 | |
| 2. | | | | | | |
| 3. | | | | | | |

| SEX/RACE | D.O.B. | DATE OF APPOINTMENT | DUTY STATUS (TIME OF INCIDENT) | | | |
|----------|-----------------|---------------------|----------------------------------|--|---|-----------------------------------|
| 1. M/2 | [REDACTED] 1960 | 10 Jul 1995 | <input type="checkbox"/> ON DUTY | <input checked="" type="checkbox"/> OFF DUTY | <input checked="" type="checkbox"/> SWORN | <input type="checkbox"/> CIVILIAN |
| 2. | | | <input type="checkbox"/> ON DUTY | <input type="checkbox"/> OFF DUTY | <input type="checkbox"/> SWORN | <input type="checkbox"/> CIVILIAN |
| 3. | | | <input type="checkbox"/> ON DUTY | <input type="checkbox"/> OFF DUTY | <input type="checkbox"/> SWORN | <input type="checkbox"/> CIVILIAN |

| IF APPLIES, DATE ARRESTED/INDICTED | CHARGES | COURT BRANCH | DISPOSITION & DATE |
|------------------------------------|---------|--------------|--------------------|
| 1. | | | |
| 2. | | | |
| 3. | | | |

| NAME | ADDRESS** | CITY | STATE | TELEPHONE | SEX/RACE | D.O.B./AGE |
|-----------------|-----------------|---------|-------|-----------|----------|------------|
| City of Chicago | 3510 S. Chicago | Chicago | IL | | | |

| NAME | ADDRESS** | CITY | STATE | TELEPHONE | SEX/RACE | D.O.B./AGE |
|------|-----------|------|-------|-----------|----------|------------|
| | | | | | | |

| NAME | ADDRESS** | CITY | STATE | TELEPHONE | SEX/RACE | D.O.B./AGE |
|------|-----------|------|-------|-----------|----------|------------|
| | | | | | | |

☐ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

**IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

Failure to be in compliance with E01-07, Indebtedness to the City of Chicago

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s). In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

Reporting Sergeant interviewed Detective Forberg who stated that he was made aware of indebtedness to the City of Chicago in the amount of \$120.00 for a parking violation. The debt was subsequently paid in full. Detective Forberg is now aware of department procedures and realizes that a personal visit to Human Resources is necessary. Based on the aforementioned facts written and verbal, it is determined that detective Forberg is in violation of E01-07, Indebtedness to the City of Chicago.

SUMMARY

| ATTACH- MENTS | INVESTIGATIVE REPORTS- SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS: | INVESTIGATIVE REPORTS- SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS: | PHYSICAL EVIDENCE LIST ATTACHMENT NUMBERS: | TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE: |
|------------------|---|--|---|--|
| | (2) | (2) | (0) | (6) |

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation. Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for — days (not to exceed 5 days).

FINDINGS - RECOMMENDATIONS

FINDINGS: Based on the aforementioned facts written and verbal, it is determined that detective Forberg is in violation of E01-07, Indebtedness to the City of Chicago.

RECOMMENDATION: Violation of Rule 6. SUSTAINED
Based on detective complimentary and disciplinary histories its is recommend that the detective is reprimanded

APR 21 2014

| | | |
|--|--------------------------------------|---|
| DATE INITIATED (Date complaint was received for investigation) | DATE COMPLETED (Date of this report) | ELAPSED TIME (Total time expressed in days) |
| 08 May 2013 | 25 Nov 2013 | (15) |
| Investigator will initiate the Command Channel Review form by completing the Investigator's Section. | | |

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

ATTACHMENT

#1-Notification Of Charges/Allegations

#2-Waiver Of Counsel/Request To Secure Counsel

#3-Administrative Proceedings Rights

#4-To-From-Subject Report (Det. Brian Forberg# 21249)

#5-To-From-Subject Report (Sgt. David Wright# 1336)

#6- Copy of Paid Violations

BUREAU OF INTERNAL AFFAIRS
Administration Section

6 May 2013

TO: Commanding Officer
Unit 620

FROM: Juan J. Rivera
Chief
Internal Affairs Division

SUBJECT: Log Number 1061745

REFERENCE: Department Notice 06-37

Complaint Log Number 1061745 has been assigned to your unit for investigation. **THIS COMPLAINT AGAINST DEPARTMENT MEMBER MUST BE INVESTIGATED.**

Immediately upon receipt of this complaint, kindly provide the information listed below and return this to the Internal Affairs Division, Records Section. Retain a copy of this information for your records. Should you have any questions, contact the Internal Affairs Division, Records Section at Pax 0603 or Bell 5-6324.

INVESTIGATOR ASSIGNED (last, first name): SGT. WRIGHT, DAVID

STAR/EMPLOYEE: 1336 / [REDACTED]

UNIT: 620

DATE AND TIME ASSIGNED: 8 MAY 2013

Juan J. Rivera
Chief
Bureau of Internal Affairs

JR/jw

NOTIFICATION OF CHARGES/ALLEGATIONS

CHICAGO POLICE DEPARTMENT

GIVEN TO ACCUSED

DATE

10 May 2013

TIME

1600

| NAME OF ACCUSED | RANK | STAR NO. | EMPLOYEE NO. | UNIT OF ASSIGNMENT |
|-----------------|------|----------|--------------|--------------------|
| FORBERG, BRIAN | Det. | 21249 | | 620 |

The law provides that if you are to be charged with a criminal offense or if the Department seeks separation, you are to be advised in writing of the specific illegal or improper acts alleged against or attributed to you.

Furthermore, Department policy provides that you have a right to be advised in writing of the names of complainants and allegations against you prior to any questioning of you concerning the allegation regardless of the nature of the allegation and even if the allegation is such that it will not result in the filing of criminal charges or the filing of separation charges.

Accordingly, you are advised that the following allegations have been made against you:

COMPLAINANT(S)

1. City of Chicago
- 2.
- 3.
- 4.

Failure to be in compliance with E01-07, Indebtedness to the city of Chicago.

I hereby acknowledge receipt in writing of the charges or allegations against me.

Signature

WITNESSES

**DISTRIBUTION:
COMPLAINT LOG INVESTIGATION**

Original to investigator's file.
Copy to accused member.

COMPLAINT LOG NO. TYPE - CR

1061745

ATTACHMENT NO.

(1)

WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL
CHICAGO POLICE DEPARTMENT

| | | | |
|-----------------|------|----------|--------------------|
| NAME OF ACCUSED | RANK | STAR NO. | UNIT OF ASSIGNMENT |
| FORBERG, BRIAN | Det. | 21249 | 620 |

☒ WAIVER OF COUNSEL

I, the undersigned, hereby acknowledge that I have received and read the charges/allegations against me and I knowingly and voluntarily wish to proceed with the hearing, examination or interrogation without having counsel of my own choosing present to advise me during this hearing, examination or interrogation.

Date-Time

16 May 2013

Signature

[Redacted Signature]

☐ REQUEST TO SECURE LEGAL COUNSEL

I, the undersigned, having been advised of my right to counsel of my own choosing at all hearings, examinations and interrogations in connection with the charges/allegations against me which have been given to me in writing and receipt of which is hereby acknowledged, elect to secure the services of counsel and agree to proceed with said hearing, examination or interrogation at

_____ hours, on _____

,20 _____

in Room _____

_____ Chicago, Illinois, at which time said hearing, examination or interrogation shall be commenced. By placing my signature upon this statement, I affirm my wish to secure said counsel and agree to comply with Department hearing, examination or interrogation scheduled on the date aforesaid.

Date-Time

Signature

WITNESSES

[Redacted Witness Signature]

DISTRIBUTION

COMPLAINT REGISTER INVESTIGATION

Original to Investigator's file
Duplicate to affected member

COMPLAINT REGISTER NO. 1061745

ATTACHMENT NO. (2)

ADMINISTRATIVE PROCEEDINGS RIGHTS

(Statutory)

CHICAGO POLICE DEPARTMENT

GIVEN TO ACCUSED

DATE

TIME

10 May 2013

1600

| NAME OF ACCUSED | RANK | STAR NO. | EMPLOYEE NO. | UNIT OF ASSIGNMENT |
|-----------------|------|----------|--------------|--------------------|
| FORBERG, BRIAN | DET. | 21249 | | 620 |

The law provides that you are to be advised of the following:

1. Any admission or statement made by you in the course of this hearing, interrogation or examination may be used as the basis for your suspension or as the basis for charges seeking your removal or discharge or suspension in excess of 30 days.
2. You have the right to counsel of your choosing to be present with you to advise you at this hearing, interrogation or examination and you may consult with counsel as you desire.
3. You have a right to be given a reasonable time to obtain counsel of your own choosing.
4. You have no right to remain silent. You have an obligation to truthfully answer questions put to you. You are advised that your statements or responses constitute an official police report.
5. If you refuse to answer questions put to you, you will be ordered by a superior officer to answer the questions.
6. If you persist in your refusal after the order has been given to you, you are advised that such refusal constitutes a violation of the Rules and Regulations of the Chicago Police Department and will serve as a basis for which your discharge will be sought.
7. You are further advised that by law any admission or statement made by you during the course of this hearing, interrogation or examination and the fruits thereof cannot be used against you in a subsequent criminal proceeding.

NOTE: Rule 14 of the Chicago Police Department's Rules and Regulations prohibits making a false report, written or oral. Making a false report, may result in separation from the Chicago Police Department.

I hereby acknowledge that I was informed of the above rights and Rule 14 of the Chicago Police Department's Rules and Regulations prior to interrogation.

Signature

WITNESSES

**DISTRIBUTION:
COMPLAINT LOG INVESTIGATION**

Original to investigator's file.
Copy to accused member.

COMPLAINT LOG NO. TYPE -CR

1061745

ATTACHMENT NO.

(3)

SUMMARY REPORT DIGEST
CHICAGO POLICE DEPARTMENTCOMPLAINT LOG NO.
1022896TYPE
CLDATE OF REPORT (Day-Mo.-Yr.)
10 January 2009

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION. SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED. SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: ☒ CHIEF ADMINISTRATOR,
INDEPENDENT POLICE REVIEW AUTHORITY☐ CHIEF,
INTERNAL AFFAIRS DIVISIONFROM - INVESTIGATOR'S NAME
David WrightRANK
Sgt.STAR NO.
1336

EMPLOYEE NO.

UNIT ASSIGN.
620

UNIT DETAILED

REFERENCE NOS. (LIST ALL RELATED C.L., C. B., I.R., INVENTORY NOS., ETC., PERTINENT TO THIS INVESTIGATION)

RD#

ADDRESS OF INCIDENT
9100 S. PrincetonDATE OF INCIDENT - TIME
22 Dec 2008, 1800 hrsBEAT OF INCIDENT
634

ACCUSED

| NAME | RANK | STAR NO. | EMPLOYEE NO. | UNIT ASSIGN. | UNIT DETAILED |
|------------------------------------|--------|---------------------|---|--------------|---|
| 1. Forberg, Brian | Det. | 21249 | | 620 | |
| 2. Eberle, Kevin | Det. | 20817 | | 620 | |
| 3. | | | | | |
| SEX/RACE | D.O.B. | DATE OF APPOINTMENT | DUTY STATUS (TIME OF INCIDENT) | | |
| 1. M/2 | 60 | 10 Jul 95 | <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | | <input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN |
| 2. M/2 | 68 | 22 Nov 93 | <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | | <input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN |
| 3. | | | <input type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | | <input type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN |
| IF APPLIES, DATE ARRESTED/INDICTED | | CHARGES | | COURT BRANCH | DISPOSITION & DATE |
| 1. | | | | | |
| 2. | | | | | |
| 3. | | | | | |

COMPLAINANT

| NAME | ADDRESS** | CITY | STATE | TELEPHONE | SEX/RACE | D.O.B./AGE |
|------|-----------|-------------|-------|-----------|----------|------------|
| | | Chicago, IL | | | F/1 | 85 |

VICTIMS

| NAME | ADDRESS** | CITY | STATE | TELEPHONE | SEX/RACE | D.O.B./AGE |
|------|-----------|------|-------|-----------|----------|------------|
| | | | | | | |

WITNESSES

| NAME | ADDRESS** | CITY | STATE | TELEPHONE | SEX/RACE | D.O.B./AGE |
|------|-----------|------|-------|-----------|----------|------------|
| | | | | | | |

☐ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

**IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

ALLEGATIONS

The complainant alleges that unknown officers towed her vehicle and arrested her without justification after she called the police for assistance. The reporting party alleges that the unknown officers failed to investigate the incident properly. The complainant further alleges that she was threatened by unknown officers regarding the incident against her and her friends.

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s).

In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

R/Sgt. assigned Complaint Log# 1022896, on 09 January 2009 for investigation. After several telephone attempts the complainant contacted R/Sgt on 14 January 2009, and stated that [REDACTED] were a victim of Homicide under case# [REDACTED] that occurred on 12 Dec.08, at 1758 hours. The complaint further stated that she was transported to the police station for questioning and subsequently learned that her vehicle was towed for police investigation. The Complainant further stated that she believed that she was mistreated because the assigned detectives Brain Forberg, and Kevin Eberle refused to answer all her questions about the homicide and would not release her vehicle. R/Sgt. learned through his investigation that the complainant was sitting in the vehicle with [REDACTED] and another individual that had been shot in this incident. The complainant called OEMC after the shooting and informed the operator that she knew who the offender was who killed [REDACTED]. The complainant has been subpoena to the Cook County Grand Jury on 23 January 2009 to explain the contradiction in her statements to detectives. R/Sgt. interviewed the detectives and they denied all the listed allegations.

On 23 January 2009, the complainant informed R/Sgt. that she no longer wish to pursue her complaint against the detectives, and that she would signed a refusal.

The complainant, [REDACTED] was presented with a letter of declination form, the complainant freely and voluntarily signed the letter of declination form and the investigation was terminated.

The Reporting Sgt presented the complainant with the sworn affidavit, which she refused to sign. She did however agree to sign the attached declination.

SUMMARY

ATTACH-
MENTS

INVESTIGATIVE REPORTS-
SUPPORTING ALLEGATION
LIST ATTACHMENT NUMBERS:
0

INVESTIGATIVE REPORTS-
SUPPORTING ACCUSED MEMBER(S)
LIST ATTACHMENT NUMBERS:
7

PHYSICAL EVIDENCE LIST
ATTACHMENT NUMBERS:
0

TOTAL NUMBER OF ATTACHMENTS
SUBMITTED WITH THIS FILE:
9

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation. Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for --- days (not to exceed 5 days).

FINDINGS - RECOMMENDATIONS

FINDING: UNFOUNDED No Affidavit

RECOMMENDATIONS: No disciplinary action warranted

FEB 23 2009

DATE INITIATED (Date complaint was received for investigation)
09 January 2009

DATE COMPLETED (Date of this report)
28 January 2009

ELAPSED TIME (Total time expressed in days)
19 Days

Investigator will initiate the Command Channel Review form by
completing the Investigator's Section.

if [REDACTED]

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

ATTACHMENTS

#1- Face Sheet

#2-Complainant Interview [REDACTED]

#3-Administrative Proceeding Rights/Notification of Charges/Allegations (Detective Brian Forberg)

#4-Administrative Proceeding Rights/Notification of Charges/Allegations (Detective Kevin Eberle)

#5-To-From Subject Report (Detective Brian Forberg)

#6- To-From Subject Report (Detective Kevin Eberle)

#7- Declination Form

#8-Genral Offense Report

#9- Case Supplementary Report

#10-Sworn Affidavit (Refused)

**SUMMARY REPORT DIGEST-
COMPLAINT REGISTER INVESTIGATION NO.:
CHICAGO POLICE DEPARTMENT**

LOG NO: 1003647

DATE OF REPORT (DAY-MO.-YEAR)

14 Mar 2007

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED or in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.
SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: SUPERINTENDENT OF POLICE

ATTENTION

☐ ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS
☒ ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

| | | | | | | |
|--|--------|-------------------------|----------|---|--------------------|-------------------|
| FROM-INVESTIGATOR'S NAME | | RANK | STAR NO. | SOCIAL SEC. NO. | EMPLOYEE NO. | UNIT ASSIGN. |
| Baker, James L. | | Sgt | 2078 | | | 620 |
| ADDRESS OF INCIDENT | | DATE OF INCIDENT - TIME | | BEAT OF INCIDENT | LOCATION CODE* | |
| 727 E. 111th St | | 23-24 Feb 07 2100/1820 | | 531 | 04 | |
| NAME | | RANK | STAR NO. | SOCIAL SEC. NO. | EMPLOYEE NO. | UNIT ASSIGN. |
| 1. Forberg, Brian | | Det | 21249 | | | 620 |
| 2. Eberle, Kevin | | Det | 20817 | | | 620 |
| SEX/RACE | D.O.B. | DATE OF APPOINTMENT | | DUTY STATUS (TIME OF INCIDENT) | | PHYS. COND. CODE† |
| 1. M/2 | | 10 Jul 95 | | <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | | 01 |
| 2. M/2 | | 22 Nov 93 | | <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | | 01 |
| IF APPLICABLE - DATE ARRESTED/INDICTED | | CHARGES | | COURT BRANCH | DISPOSITION & DATE | |
| 1. | | | | | | |
| 2. | | | | | | |
| NAME | | ADDRESS** | | CITY STATE | TELEPHONE | SEX/RACE |
| | | | | Chicago Illinois | | F/B |
| NAME | | ADDRESS** | | CITY STATE | TELEPHONE | SEX/RACE |
| | | | | Chicago Illinois | | M/B |
| NAME | | ADDRESS** | | CITY STATE | TELEPHONE | SEX/RACE |
| | | | | | | |

☐ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

ALLEGATIONS
The complainant alleges that [REDACTED] the victim, had been detained and questioned regarding a shooting investigation for a prolonged period of time by Detectives Forberg and Eberle and the Detectives continually threatened to send him to the penitentiary. The complainant further alleges that the Detectives gave her conflicting information about the guilt or innocence of [REDACTED] and he was still in police custody.

I.A.D. LOCATION CODES*

01 Food Sales/Restaurant
02 Tavern/Liquor Store
03 Other Business Establishment
04 Police Building
05 Lockup Facility
06 Police Maintenance Facility
07 CPD Automotive Pound Facility
08 Other Police Property
09 Police Communications System
10 Court Room

11 Public Transportation Veh./Facility
12 Park District Property
13 Airport
14 Public Property Other
15 Other Private Premise
16 Expressway/Interstate System
17 Public Way - Other
18 Waterway, Incl. Park District
19 Private Residence

I.A.D. PHYSICAL CONDITION CODES†

01 No Visible Injury - Apparently Normal
02 No Visible Injury - Under Influence
03 Injured, Not Hospitalized
04 Injured, Not Hospitalized - Under Influence
05 Injured, Hospitalized
06 Injured, Hospitalized - Under Influence
07 Injured, Refused Medical Aid
08 Injured, Refused Medical Aid - Under Influence
09 Deceased
10 Deceased - Under Influence

* IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

CPD-44.112A (1/84)

C.R. NO. LOG NO: 1003647

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s). In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

The R/Sgt received Complaint Log Number 1003647 for investigation. R/Sgt contacted the complainant on 14 Mar 07 at 1640 hours and explained that he was assigned case for investigation. R/Sgt explained the need for the complainant to sign the Sworn Affidavit for Complaint Register Investigation. The complainant stated she would not sign the form and no longer wished to pursue the complaint. Investigation terminated.

SUMMARY

| ATTACHMENTS | INVESTIGATIVE REPORTS- SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS: | INVESTIGATIVE REPORTS- SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS: | PHYSICAL EVIDENCE LIST ATTACHMENT NUMBERS: | TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE: |
|-------------|---|--|---|--|
| | 0 | 0 | 0 | 0 |

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation.
Example: 1. Violation noted, no disciplinary action warranted, 2. That the accused member be reprimanded, 3. That the accused member be suspended for days (not to exceed 5 days).

Findings: UNFOUNDED

FINDINGS-RECOMMENDATIONS

| DATE INITIATED (DATE COMPLAINT WAS RECEIVED FOR INVESTIGATION) | 04 | DATE COMPLETED (DATE OF THIS REPORT) | 14 Mar 07 | ELAPSED TIME (TOTAL TIME, EXPRESSED IN DAYS) | 10 |
|--|----|--|----------------|--|----|
| Investigator will initiate the Command Channel Review form by completing the Investigator's Section. | | | INV [REDACTED] | | |

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

**SUMMARY REPORT DIGEST-
COMPLAINT REGISTER INVESTIGATION NO.:
CHICAGO POLICE DEPARTMENT**

301249

DATE OF REPORT (DAY-MO.-YEAR)

15 DEC 06

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED or in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.
SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: SUPERINTENDENT OF POLICE

ATTENTION

☒ ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS
☐ ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

| | | | | | | | |
|--|----------------------|-------------------------|---------------------|------------------|---|-------------------|-------------------|
| FROM-INVESTIGATOR'S NAME | | RANK | STAR NO. | SOCIAL SEC. NO. | EMPLOYEE NO. | UNIT ASSIGN. | |
| VAIL, Mark G. | | SGT | 874 | | | 650 | |
| ADDRESS OF INCIDENT | | DATE OF INCIDENT - TIME | | BEAT OF INCIDENT | LOCATION CODE* | | |
| 71 S. Campbell | | 12 OCT 04 - 1100 | | 0831 | 290 | | |
| ACCUSED | NAME | RANK | STAR NO. | SOCIAL SEC. NO. | EMPLOYEE NO. | UNIT ASSIGN. | |
| | 1. FORBERG, Brian L. | DET | 21249 | | | 610 | |
| | 2. FOSTER, John L. | DET | 20288 | | | 610 | |
| | SEX/RACE | D.O.B. | DATE OF APPOINTMENT | | DUTY STATUS (TIME OF INCIDENT) | PHYS. COND. CODE† | |
| | 1. M/W | | 10 JUL 95 | | <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | | |
| | 2. M/W | | 18 NOV 91 | | <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | | |
| IF APPLICABLE - DATE ARRESTED/INDICTED | | CHARGES | | COURT BRANCH | DISPOSITION & DATE | | |
| 1. | | | | | | | |
| 2. | | | | | | | |
| COMPLAINANTS | NAME | ADDRESS** | CITY STATE | TELEPHONE | SEX/RACE | D.O.B./AGE | PHYS. COND. CODE† |
| | | | Chicago, IL 60629 | | M/B | 54 | UNK |
| VICTIMS | NAME | ADDRESS** | CITY STATE | TELEPHONE | SEX/RACE | D.O.B./AGE | PHYS. COND. CODE† |
| | | | | | | | |
| WITNESSES | NAME | ADDRESS** | CITY STATE | TELEPHONE | SEX/RACE | D.O.B./AGE | PHYS. COND. CODE† |
| | | | | | | | |

☐ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

ALLEGATIONS

The complainant alleges that two male white casually dressed officers, FOSTER & FORBERG, entered and searched residence because is wanted for questioning of a homicide. The complainant alleges that one of the officers pointed a weapon toward his head. The complainant further alleges that while one of the officers were attempting to handcuff him, he was burnt with a lit cigarette.

ARREST: NONE
INJURY: Burn On The Right Wrist
MEDICAL ATTENTION: NONE

I.A.D. LOCATION CODES*

| | |
|----------------------------------|--|
| 01 Food Sales/Restaurant | 11 Public Transportation Veh./Facility |
| 02 Tavern/Liquor Store | 12 Park District Property |
| 03 Other Business Establishment | 13 Airport |
| 04 Police Building | 14 Public Property Other |
| 05 Lockup Facility | 15 Other Private Premise |
| 06 Police Maintenance Facility | 16 Expressway/Interstate System |
| 07 CPD Automotive Pound Facility | 17 Public Way - Other |
| 08 Other Police Property | 18 Waterway, Incl. Park District |
| 09 Police Communications System | 19 Private Residence |
| 10 Court Room | |

I.A.D. PHYSICAL CONDITION CODES†

| |
|---|
| 01 No Visible Injury - Apparently Normal |
| 02 No Visible Injury - Under Influence |
| 03 Injured, Not Hospitalized |
| 04 Injured, Not Hospitalized - Under Influence |
| 05 Injured, Hospitalized |
| 06 Injured, Hospitalized - Under Influence |
| 07 Injured, Refused Medical Aid |
| 08 Injured, Refused Medical Aid - Under Influence |
| 09 Deceased |
| 10 Deceased - Under Influence |

* IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

CPD-44.112A (1/84)

C.R. NO.

301249

Attachment #2

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s).
In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

SEE INVESTIGATOR'S REPORT (Attachment #3)

SUMMARY

| ATTACHMENTS | INVESTIGATIVE REPORTS- SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS: | INVESTIGATIVE REPORTS- SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS: | PHYSICAL EVIDENCE LIST ATTACHMENT NUMBERS: | TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE: |
|-------------|---|--|---|--|
| | 1 | 3 | 0 | 8 |

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation.
Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for days (not to exceed 5 days).

FINDINGS-RECOMMENDATIONS

The complainant has failed to contact the assigned investigator and sign the Sworn Affidavit of Allegation(s). This investigation is closed as UNFOUNDED.

No disciplinary action to be taken.

| | | | | | |
|--|-----------|--|-----------|--|-----|
| DATE INITIATED (DATE COMPLAINT WAS RECEIVED FOR INVESTIGATION) | 18 OCT 04 | DATE COMPLETED (DATE OF THIS REPORT) | 15 DEC 06 | ELAPSED TIME (TOTAL TIME, EXPRESSED IN DAYS) | 756 |
| Investigator will initiate the Command Channel Review form by completing the Investigator's Section. | | INVESTIGATOR'S SIGNATURE | | | |

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

LIST OF ATTACHMENTS

- 1) Complaint Against Department Member
- 2) Summary Report Digest
- 3) Investigator's To -- From Report
- 4) Request For Contact Letter
- 5) Request For Contact Envelope
- 6) Request For Time Extension
- 7) Certified Letter Receipt Arrival At U.S. Post Office
- 8) Domestic Return Receipt For Certified Letter

SUMMARY REPORT DIGEST-
COMPLAINT REGISTER INVESTIGATION NO.:
CHICAGO POLICE DEPARTMENT

312698

DATE OF REPORT (DAY-MO.-YEAR)

09 NOV 06

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED or in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.
 SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: SUPERINTENDENT OF POLICE

ATTENTION

☐ ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS
☒ ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

| | | | | | | |
|--|--------|---------------------|------------------------|---|--------------------|-------------------|
| FROM-INVESTIGATOR'S NAME | | RANK | STAR NO. | SOCIAL SEC. NO. | EMPLOYEE NO. | UNIT ASSIGN. |
| David WOODS | | P.O. | 7874 | | | 121 |
| ADDRESS OF INCIDENT | | | DATE OF INCIDENT -TIME | | BEAT OF INCIDENT | LOCATION CODE* |
| 90 S. Marshfield | | | 02-03 APR 06 2315-0400 | | 2221 | 17 |
| NAME | | RANK | STAR NO. | SOCIAL SEC. NO. | EMPLOYEE NO. | UNIT ASSIGN. |
| 1. Wade GOLAB | | Det | 21389 | | | 620 |
| 2. Brian FORBERG | | Det | 21249 | | | 620 |
| SEX/RACE | D.O.B. | DATE OF APPOINTMENT | | DUTY STATUS (TIME OF INCIDENT) | | PHYS. COND. CODE† |
| 1. M/W | 73 | 05 SEP 1995 | | <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | | 01 |
| 2. M/W | 60 | 10 JUL 1995 | | <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY | | 01 |
| IF APPLICABLE - DATE ARRESTED/INDICTED | | CHARGES | | COURT BRANCH | DISPOSITION & DATE | |
| 1. | | | | | | |
| 2. | | | | | | |
| NAME | | ADDRESS** | | CITY STATE | TELEPHONE | SEX/RACE |
| | | | | Chicago, IL | | F/B |
| NAME | | ADDRESS** | | CITY STATE | TELEPHONE | SEX/RACE |
| | | | | Chicago, IL | | F/B |
| NAME | | ADDRESS** | | CITY STATE | TELEPHONE | SEX/RACE |
| | | | | Chicago, IL | | M/B |
| NAME | | ADDRESS** | | CITY STATE | TELEPHONE | SEX/RACE |
| | | | | Chicago, IL | | F/B |
| NAME | | ADDRESS** | | CITY STATE | TELEPHONE | SEX/RACE |
| | | | | Chicago, IL | | F/B |

☒ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

The complainant [REDACTED], of [REDACTED] Chicago, IL 60620 alleges that on 02-03 APR 06, between 2315 and 0400 hours an unknown department member during the processing, transportation, or investigation did the following:

1. Removed the victim's [REDACTED] wallet and failed to inventory or return it.
2. Removed the victim's [REDACTED] red hat and failed to inventory or return it.
3. Removed the victim's speakers and other miscellaneous clothing and failed to inventory or return them.

I.A.D. LOCATION CODES*

01 Food Sales/Restaurant
 02 Tavern/Liquor Store
 03 Other Business Establishment
 04 Police Building
 05 Lockup Facility
 06 Police Maintenance Facility
 07 CPD Automotive Pound Facility
 08 Other Police Property
 09 Police Communications System
 10 Court Room

11 Public Transportation Veh./Facility
 12 Park District Property
 13 Airport
 14 Public Property Other
 15 Other Private Premise
 16 Expressway/Interstate System
 17 Public Way - Other
 18 Waterway, Incl. Park District
 19 Private Residence

I.A.D. PHYSICAL CONDITION CODES†

01 No Visible Injury - Apparently Normal
 02 No Visible Injury - Under Influence
 03 Injured, Not Hospitalized
 04 Injured, Not Hospitalized - Under Influence
 05 Injured, Hospitalized
 06 Injured, Hospitalized - Under Influence
 07 Injured, Refused Medical Aid
 08 Injured, Refused Medical Aid - Under Influence
 09 Deceased
 10 Deceased - Under Influence

* * IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s).
In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

SEE ATTACHED

SUMMARY

| ATTACHMENTS | INVESTIGATIVE REPORTS- SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS: | INVESTIGATIVE REPORTS- SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS: | PHYSICAL EVIDENCE LIST ATTACHMENT NUMBERS: | TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE: |
|-------------|---|--|---|--|
| | 2,,3,4,7 | 17,35, 36 | 6, 17 | 37 |

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation.

Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for days (not to exceed 5 days).

SEE ATTACHED

FINDINGS--RECOMMENDATIONS

REVIEW

| | | | | | |
|---|-----------|--|---------------|--|-----|
| DATE INITIATED (DATE COMPLAINT WAS RECEIVED FOR INVESTIGATION) | 04 MAY 06 | DATE COMPLETED (DATE OF THIS REPORT) | 09 NOV 06 | ELAPSED TIME (TOTAL TIME, EXPRESSED IN DAYS) | 189 |
| Investigator will initiate the Command Channel Review form by completing the Investigator's Section. | | | IN [REDACTED] | | |

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

CR # 312698 SUMMARY

- ADDITIONAL WITNESSES:** #3 Patrick MORAN, PFI, star #7718, employee # [REDACTED]
Unit 177, M/W, DOB [REDACTED] 1947, DOA 20 NOV 1972,
on duty, sworn, physical code 01
- #4 Brian J. SMITH, PFI, star #17100, employee # [REDACTED]
Unit 177, M/B, DOB [REDACTED] 1957, DOA 14 FEB 1983,
on duty, sworn, physical code 01
- #5 Joycetta DINWIDDIE, P.O., star #16981, employee
[REDACTED] Unit 022, F/B, DOB [REDACTED] 1962, DOA
10 JUL 1995, on duty, sworn, physical code 01
- #6 Victor MORGAN, P.O., star #11971, employee # [REDACTED]
Unit 022, M/B, DOB [REDACTED] 1962, DOA 17 NOV 1986,
on duty sworn, physical code 01
- #7 Wade GOLAB, Detective, star #21389, employee #29396,
Unit 620, M/W, DOB [REDACTED] 1973, DOA, on duty, sworn,
physical code 01
- #8 Ronald WILKERSON, Sergeant, star #2617, employee
[REDACTED] Unit 022, M/B, DOB [REDACTED] 1961, DOA
16 DEC 1985, on duty, sworn, physical code 01
- #9 Terri GRANDBERRY, P.O., star #3512, employee # [REDACTED]
Unit 022, F/B, DOB [REDACTED] 1971, DOA 10 OCT 2000,
on duty sworn, physical code 01
- #10 Lillie CRUMP-HALES, Captain, star #79, employee
[REDACTED] Unit 022, F/B, DOB [REDACTED] 1949, DOA
08 JUN 1981, on duty, sworn, physical code 01
- #11 Justin MICHNA, PPO., star #16013, employee # [REDACTED]
Unit 023, M/W, DOB [REDACTED] 1981, DOA 29 AUG 2005,
on duty, sworn, physical code 01

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- #12 George NEWELL, P.O., star #9816, employee # [REDACTED]
Unit 022, M/B, DOB [REDACTED] 1965, DOA 02 JAN 1991,
on duty, sworn, physical code 01
- #13 Maude NOFLIN, Sergeant, star #1165, employee # [REDACTED]
Unit 022, F/B, DOB [REDACTED] 1956, DOA 27 MAR 1991,
on duty, sworn, physical code 01
- #14 David HEARD, P.O., star #16622, employee # [REDACTED]
Unit 022, M/B, DOB [REDACTED] 1967, DOA 27 AUG 1990,
on duty sworn, physical code 01
- #15 David READUS, P.O., star #19744, employee # [REDACTED]
Unit 543, M/B, DOB [REDACTED] 1961, DOA 26 MAR 1990,
on duty, sworn, physical code 01
- #16 Sheila FULKS, P.O., star #17596, employee # [REDACTED]
Unit 212, F/B, DOB [REDACTED] 1965, DOA 25 OCT 1999,
on duty, sworn, physical code 01
- #17 Hernan LABOY Jr., P.O., star #10920, employee #38758,
Unit 022, F/B, DOB [REDACTED] 1958, DOA 26 MAR 1990,
on duty, sworn, physical code 01
- #18 Samuel LAGUNAS, PPO, star #19202, employee # [REDACTED]
Unit 022, M/H, DOB [REDACTED] 1980, DOA 26 SEP 2005,
on duty, sworn, physical code 01

ALLEGATIONS

[REDACTED] of [REDACTED], Chicago, IL. 60620,
telephone number [REDACTED] relative to the allegations made
against unknown department members that during the processing,
transportation, or investigation they did the following:

1. Removed the victim's ([REDACTED]) wallet and failed to
inventory or return it.
2. Removed the victim's [REDACTED] red hat and failed to
inventory or return it.
3. Removed the victims speakers and other miscellaneous clothing
and failed to inventory or return them.

EVIDENCE

1. Complaint Against Department Member
- 1a. Conflict Certification
2. Sworn Affidavit signed by complainant [REDACTED]
3. Report of P.O. David Woods #7874, Internal Affairs Division, regarding contact of complainant [REDACTED]
4. Interview of complainant [REDACTED]
5. Copy of complainant's Drivers License
6. Photo submitted by complainant [REDACTED]
7. Interview of witness [REDACTED]
8. General Offense Case Report [REDACTED]
9. Supplementary Case Report and Detective In Progress Report for RD # [REDACTED]
10. Inventory Report # [REDACTED] (expended shell casings)
11. Inventory Report # [REDACTED] (fired bullets)
12. Inventory Report # [REDACTED] (blood card)
13. Inventory Report # [REDACTED] (sealed bullet envelope)
14. Inventory Report # [REDACTED] (clothing)
15. Interview of witness [REDACTED]
16. Attendance and Assignment Record for the 22nd District dated 02-03 APR 06
17. Crime Scene Photos for RD # [REDACTED]
18. Witness report from PFI Patrick MORAN, star #7718
19. Witness report from PFI Brian J. SMITH, star #17100
20. Witness report from P.O. Joycetta DINWIDDIE, star #16981
21. Witness report from P.O. Victor MORGAN, star #11971
22. Witness report from Detective Wade GOLAB, star #21389
23. Witness report from Sergeant Ronald WILKERSON, star 2617
24. Witness report from P.O. Terri GRANDBERRY, star #3512
25. Witness report from Captain Lillie CRUMP-HALES, star 79
26. Witness report from PPO Justin MICHNA, star #16013
27. Witness report from P.O. George NEWELL, star #9816
28. Witness report from P.O. Terry HOOVER, star #18243
29. Witness report from Sergeant Maude NOFLIN, star #1165
30. Witness report from P.O. David HEARD, star #16622
31. Witness report from P.O. David READUS, star #19744
32. Witness report from P.O. Sheila FULKS, star #17596
33. Witness report from P.O. Hernan LABOY Jr., star #10920
34. Witness report from PPO Samuel LAGUNAS, star #19202
35. Formal Statement of Detective WADE GOLAB, star # 21389, Unit 620
36. Formal Statement of Detective BRIAN FORBERG, star # 21249, Unit 620

37. Medical Examiners inventory for Case # 031 APR 06 [REDACTED]

INVESTIGATION

This investigation was assigned to the undersigned on 04 MAY 06 (Attachment 1). The complainant, [REDACTED] alleged that between 02-03 APR 06, and between 2315 and 0400 hours at [REDACTED] unknown department members during the processing transportation, or investigation failed to inventory or return items belonging to the victim [REDACTED] of the victim [REDACTED] was the deceased in the Homicide investigation taking place at 90 [REDACTED] S. Marshfield.

On 04 MAY 06 the Reporting investigator contacted the complainant [REDACTED] by telephone to ascertain the nature of her complaint. [REDACTED] indicated her complaint and agreed to come to the Internal Affairs Offices to sign a Sworn Affidavit to be interviewed. [REDACTED] interview was scheduled for 11 MAY 06.

[REDACTED] was interviewed at the Internal Affairs Offices by the Reporting Investigator and accompanied by [REDACTED] who was present during the incident. [REDACTED] indicated that [REDACTED] personal property, being a wallet, speakers, a red hat, and various other items could not be located or found. The complainant indicated that she discovered the items were missing as a result of going to the Cook County Medical Examiners Office and not finding the items. The complainant related that she never observed anyone take any of the items and that the jewelry items were retrieved at the Medical Examiners Office. The complainant indicated that the items in question were the victims wallet, speakers, red hat, and various clothing items.

[REDACTED] indicated that she believed the items were on the victim because he usually wore them everyday. [REDACTED] indicated the speakers were not on the victim. [REDACTED] related that there were a larger number of people on the scene prior to and after the police arrived. (Approximately 15-20). [REDACTED] indicates there were people coming into the area until the scene was secured. [REDACTED] related that she believes the Chicago Police Department took the items. When asked why, [REDACTED] indicated that when [REDACTED] body was pulled out of the car the alleged wallet could not be seen. [REDACTED] indicated the red hat was on the victim's head. [REDACTED] related that she saw the items.

[REDACTED] indicated that she came to the scene and while looking out of the window observed several items near the victims body. [REDACTED] related that from the way the officers were standing they were blocking her view of the items. [REDACTED] related that she saw [REDACTED] hat above his head on the ground, his jacket was to the left of him, and his wallet was to the right.

Internal Affairs Division
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██████████ indicated that she took the photograph that was provided. ██████████ had nothing further to add.

The reporting investigator obtained copies of the General Offense case report, Supplementary report and the Detective's progress report to identify witnesses and Accused. Several inventories were also obtained in an effort to determine what if any items were inventoried and to ascertain if the items had any evidentiary value.

An additional witness named ██████████ was indicated by the complainant. ██████████ was contacted by telephone and interviewed. The following is a summary of ██████████ interview. ██████████ related that she is ██████████ of the complainant. ██████████ related that on 02 APR 06 she heard gunfire outside of her residence. ██████████ related that she asked ██████████ to get up and see what was happening. ██████████ related that she was concerned so she went to the window to see what was going on. ██████████ related that she observed the complainants ██████████ in his vehicle on the passenger side laying on his stomach. ██████████ related that she observed a cell phone, speakers, and a package of condoms on the ground. ██████████ indicated that ██████████ had a hood pulled over his face and it couldn't be seen clearly. ██████████ related that she ran next door to ██████████ house and told her to call an ambulance. ██████████ related that the police arrived a short time later and the blocked off the scene and were walking around looking for bullets. ██████████ related that the officers found shell casings on both sides of the victim's vehicle. ██████████ related that the victim's body was still inside of the vehicle. ██████████ indicated the paramedics came and attempted to remove the victim from the vehicle. ██████████ related the victim was removed with police assistance. ██████████ indicated that the paramedics check ██████████ for vital signs and found none.

██████████ related that a police officer took her in the house and informed the family that the victim was deceased. ██████████ related that ██████████ was overcome with grief and later went to the hospital. ██████████ relates that she went in and out of the house several times and during one of the times thinks that she saw a wallet on the parkway but was not sure. ██████████ related that she was not sure as to the disposition of the other items she saw. ██████████ indicated that she did retrieve the victims cell phone. ██████████ related that the officers conducting the investigation did not take the victim's vehicle after processing the crime scene. ██████████ indicated that she spoke with the Detectives on the scene about her observations and later, went to the hospital with her aunt. ██████████ had nothing further to add to her statement.

The reporting investigator obtained copies of the crime scene photos for examination. The crime scene photos indicate there was a red hat, a jacket, and speakers present during the processing of the crime scene. There was no conclusive indication that a wallet was present in any of the photos viewed.

The Reporting investigator examined the submitted case reports and Attendance and Assignment Records to determine the involved members. There were 17 additional witnesses identified. They were asked to submit To/From subject reports to the reporting investigator. The following is a summary of their reports.

Police Forensic Investigator Patrick MORAN star#7718, assigned to Unit 177 was assigned as the forensic investigator for the crime scene. MORAN related that his role was to identify, record, and collect physical evidence regarding the fatal shooting that was recorded under RD [REDACTED] MORAN related that he observed discharged cartridge cases, keys, a coat, and a red head covering near the body. MORAN related that two speakers were on the street along the drivers side of a Blue Cadillac. MORAN indicated that he was not responsible for guarding or securing the crime scene. MORAN related that he was responsible for inventorying only articles with probative value. MORAN indicated the only items he inventoried were cartridge cases and metal fragments under inventories [REDACTED]

Police Forensic Investigator Brian J. SMITH star #17100, assigned to Unit 177 was also assigned to the crime scene recorded under RD [REDACTED] SMITH related that his role was to photograph, videotape, and collect physical evidence at the scene of the Homicide. SMITH indicated that he observed fired cartridge cases, a coat, a set of keys, and a red du-rag on the victim's head. SMITH indicated that he saw a set of speakers in the street by the drivers door. SMITH related that he was not responsible for guarding the crime scene, but that he was responsible for inventorying items of probative value. SMITH related that he also noticed a red hat on the parkway and other items of clothing on the parkway grass. SMITH indicated that he inventoried cartridge cases under inventory # [REDACTED] and metal fragments under inventory [REDACTED] collected from the scene of the Homicide.

Police Officer Joycetta DINWIDDIE star#16981, Unit 022 related in her report that she was on the crime scene at 90th S. Marshfield. DINWIDDIE indicated that her role on the scene was to guard the crime scene. DINWIDDIE indicated that she noticed a set of keys that were given to the victims family after the victim was placed into the squadrol. DINWIDDIE additionally related that she noticed a red hat and some speakers lying on the ground near the victim and his vehicle. DINWIDDIE indicated that the jacket the victim was wearing was removed by the crime lab to reveal his injuries but that she did not observe a wallet. DINWIDDIE indicated that she was not responsible for inventorying any items at the scene and that she did not recover any items from the scene.

Police Officer Victor MORGAN star #11971, Unit 022, indicated in his report that he was assigned by O.E.C. to assist at the crime scene at 90th and Marshfield. MORGAN related that he was working with a partner, PPO Justin MICHNA. MORGAN indicated that their position was on the outer perimeter to assist with crowd control. MORGAN related that during this time, he did not observe any items on or near the deceased person.

MORGAN related that once the initial investigation was completed, he was assigned to remove the body of the deceased victim. SMITH related that he did not observe a red hat, wallet, speakers, or anything lying around the victim. SMITH indicated the only clothing he observed was still on the deceased victim. SMITH related that he did not inventory any items from the scene.

Detective Wade GOLAB star #21389, Unit 620, submitted a To/From subject report as a witness. GOLAB indicated that he was on the scene of the homicide reported under RD #HM-268232. GOLAB indicated that he was assigned as an assisting unit. GOLAB related that he observed a red hat and a jacket near the victim. GOLAB additionally indicated that he saw speakers in the street outside of the driver's door of the victim's vehicle. GOLAB indicates that he was not responsible for inventorying items at the crime scene and that he did not inventory any items. GOLAB was later named as an Accused and provided a statement as such.

Sergeant Ronald WILKERSON star #2617, Unit 022, submitted a witness account for the incident. WILKERSON related that he was assigned to assist with crowd control at the scene of a Homicide at 900 S. Marshfield. WILKERSON indicated that he taped off the crime scene and began to disband the crowd that gathered. Within the inner perimeter WILKERSON reported that he did not observe any items near the deceased person. WILKERSON indicated that his responsibility was primarily crowd control.

Police Officer Terri GRANDBERRY star #3512, Unit 022, related that she was present at the crime scene. GRANDBERRY indicates that her responsibility was to guard the crime scene. GRANDBERRY related that when she arrived on the scene, the deceased victim was covered up. GRANDBERRY that to her knowledge, a red hat, speakers, a wallet, or items of clothing were observed. GRANDBERRY indicated that she did not recover any items from the scene and that she was not responsible for recovering any items from the scene.

Captain Lillie CRUMP-HALES star #79, Unit 022, indicated in her witness report that she was assigned as the 1st watch commander at the time of the incident. CRUMP-HALES indicated that she was in charge of the crime scene at 900 S. Marshfield. CRUMP-HALES related that she did not see a red hat, speakers, wallet, or any other items of clothing. CRUMP-HALES indicates that there were 022 District officers assigned to guard the crime scene. She further related that she had no knowledge of any items that needed to be inventoried by patrol or whether there was anything to inventory.

PPO Justin MICHNA star #16013, currently assigned to the 23rd District, related in his report that he was on the crime scene on the northwest corner to protect it from the crowd that was gathering near the north boundaries. MICHNA indicated that he was assigned out of roll call for crime scene protection. MICHNA indicated that he did not observe any items on or near the victim.

MICHNA indicated that he does not recall any items on or near the victim when he was taken to the Medical Examiners Office. MICHNA related that he did not observe a red hat, speakers, or a wallet. He further indicated that he did not recover any items or inventory them.

Police Officer George NEWELL star #9816, Unit 022, related in his report that he was working with a partner, Police Officer David HEARD. NEWELL indicated that he could not recall any information about the crime scene or his responsibility on the scene. NEWELL indicated he did not inventory any items from the scene.

Police Officer Terry HOOVER star #18243, Unit 022 related that he worked with a partner, Police Officer Derrick SMITH star #8537. HOOVER related that he never responded to the scene and that the incident took place prior to his tour of duty. HOOVER indicated he had no knowledge of the situation.

Sergeant Maude NOFLIN star #1165, Unit 022 indicated in her report that she had no knowledge of the details of the incident to which she responded. Sergeant NOFLIN indicated that she was the sector sergeant for the 1st watch after the homicide occurred.

Police Officer David HEARD star #16622, Unit 022, related that he was assigned to the crime scene on Marshfield for crowd control. HEARD indicated that he did not observe a red hat, speakers, a wallet, or any other items. HEARD related that he had no responsibility to recover items at the time scene and did not recover any items.

Police Officer David READUS star #19744, Unit 543, indicated that he was on the scene during the Homicide investigation. READUS indicated that he was assigned as the paper car. READUS related that he did not recall any items near the victim. READUS further stated that he was not responsible for guarding the crime scene and did not recover any items. According to READUS the only items of clothing observed were on the victim.

Police Officer Sheila FULKS star #17596, Unit 212, related that she was assigned to the crime scene but was not the first unit to arrive. FULKS indicated that she was the assigned paper car but she can't recall what if any items were near the victim. FULKS stated that she was assisted in securing the crime scene by other units. FULKS indicated that she did not recall a red hat or wallet on the scene. FULKS states that there may have been a speaker on the ground near a parked vehicle but she did not recover or record any evidence.

Police Officer Hernan LABOY Jr. star #10920, Unit 022, stated in his report that he responded to a call at 90 S. Marshfield on 02 APR 06. LABOY indicated that when he arrived he observed a male black that appeared to have suffered a gunshot wound. LABOY related that he requested EMS. LABOY related that he was not assigned as the paper car but that he obtained crowd control of the scene.

LABOY indicated that he did not observe any items belonging to the victim. LABOY also stated that he did not inventory any items from the scene but did submit a supplementary report. LABOY had nothing further to add.

PPO Samuel LAGUNAS star #19202, Unit 022, submitted a To/From subject report relating to the Homicide that occurred at 90 S. Marshfield. LAGUNAS related that he and his partner P.O. LABOY were an assisting unit who helped secure the scene. LAGUNAS stated that he did not observe any items near the victim. LAGUNAS indicated that he and his partner were the first unit on the scene so their initial responsibility was to secure the crime scene until the paper car arrived. LAGUNAS indicated that he did not observe a red hat, speakers, a wallet or any other clothing items. LAGUNAS denied having responsibility for inventorying items from the crime scene.

The Detectives assigned to the crime scene according to Department directives, had the responsibility of releasing the crime scene. The Detectives assigned to the crime scene were Detective Wade GOLAB star #21389 and Detective Brian FORBERG star # 21249. The Detectives were named as the Accused based upon their role in the investigation. Both Detectives were interviewed at the Internal Affairs Offices. The Following is a summary of their interviews.

Detective Wade GOLAB was interviewed on 06 SEP 06 at approximately 0600 hours. GOLAB related that he was working in Unit 620 on beat 5219 on 02-03 APR 06. GOLAB indicated that when he arrived he observed a vehicle with bullet holes in it and the deceased victim laying in the grass. GOLAB indicated that when he arrived the crime scene was secured. GOLAB indicated that he observed both police and civilians on the scene when he arrived. GOLAB denied handling at anytime, a wallet belonging to Kory NORRIS. GOLAB indicated that he did not inventory any items at the scene but that the crime lab who was assigned did. GOLAB related that the only items inventoried were those of evidentiary value. GOLAB indicated that the items that were not of evidentiary value were released to the family. GOLAB indicated that he did not remember handling a red hat belonging to the victim and that he may have looked through the victims jacket but left it on the scene. GOLAB indicated that he did not remember speakers on the scene but felt they did not have evidentiary value. GOLAB related that he was working with a partner, Detective Brian FORBERG on the case. GOLAB stated that everything that was not inventoried on the scene was released to the family. GOLAB indicated that after interviewing two family members, he told them that they were done and could have the items. GOLAB was not sure to whom he released the items only that they were family members. GOLAB related that he did not remember any family member take possession of the victims items. GOLAB stated that the victim was out of the vehicle when he arrived and that after the scene was processed, he believes he gave the keys to a family member. GOLAB indicated that he found condoms and the victims coat. He further stated that those items were left on the scene. GOLAB indicated that he a FORBERG were the last two police officers on the scene and that they released the crime scene at the end of their investigation.

Detective Brian FORBERG star 21249, Unit 620, was interviewed at the Internal Affairs Offices on 12 OCT 06, at 1005 hours. FORBERG related that he responded as the investigating Detective at 9003 S. Marshfield. FORBERG indicated that he was responsible for processing the crime scene. FORBERG stated that when he arrived, he noticed that the scene was secured by 22nd district personnel. He additionally indicated that he observed several items. FORBERG stated that he observed the victims coat, his hat, a pack of condoms, and speakers that were on the street near the victims car. FORBERG stated both car doors were open. FORBERG stated the crime scene was secured. FORBERG indicated that there were family members that were on the porch and that the part of the crime scene that was not protected by tape was protected by standing personnel. FORBERG related that he did not observe or handle a wallet belonging to the victim [REDACTED]. FORBERG stated that he did not inventory any items from the crime scene but the Crime Lab did. He indicated that he did not recall what items were inventoried however, he indicated that only items of evidentiary value were inventoried. FORBERG related that there were items of non-evidentiary value observed on the scene. He stated that those items were the victims coat, some condoms, and some speakers. FORBERG indicated that he did not recall any other items being on the scene.

FORBERG was asked what action was taken with regard to the non-evidentiary items and he related that they were released to the family. FORBERG indicated that family members excluding the complainant Siporah NORRIS were present. FORBERG identified Lakisha HUGHES as being present. FORBERG stated that he informed the family that the items were not going to be recovered and taken into police custody. He further stated to the family that they could retrieve the items. FORBERG indicated that he did not release the items to a specific family member but made a general statement to the family at the conclusion of their investigation. FORBERG had nothing further to add to his statement.

The Reporting investigator has reviewed the available evidence regarding this case and several observations are noted. The complainant indicated that she did not observe a specific officer or officers remove any items from the crime scene. All witnesses corroborate the fact that speakers, a red hat, and a coat were on the scene. Those items were not taken into police custody because they possessed no evidentiary value. The Accused officers had an obligation to release the crime scene and did so at the conclusion of their investigation. The evidence obtained does not support the fact that a wallet was ever present on the scene. The crime lab photos do not conclusively show it, nor does the photograph offered by the complainant. Additionally, the items not taken into police custody by the Chicago Police Department or released to the family, were inventoried by The Cook County Medical Examiners Office. Those items were released to the complainant by the Cook County Medical Examiners Office.

Based upon the evidence obtained the findings are as follows:

**Internal Affairs Division
General Investigations Section**

**09 NOV 2006
CR #312698**

FINDINGS:

ACCUSED **Detective Wade GOLAB, star #21389**

ALLEGATION #1: UNFOUNDED

ALLEGATION #2 UNFOUNDED

ALLEGATION #3 UNFOUNDED

ACCUSED **Detective Brian FORBERG, star #21249**

ALLEGATION #1: UNFOUNDED

ALLEGATION #2 UNFOUNDED

ALLEGATION #3 UNFOUNDED

RECOMMENDATION: **No disciplinary action warranted**



P.O. David Woods, star #7874

Approved:



Supervising Sergeant

**Commanding Officer
General Investigations Section
Internal Affairs Division**